



Rep. Daniel Didech

Filed: 5/24/2024

10300SB0327ham001

LRB103 05799 LNS 73874 a

1 AMENDMENT TO SENATE BILL 327

2 AMENDMENT NO. _____. Amend Senate Bill 327 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Family Amusement Wagering Prohibition Act.

6 Section 5. Definitions. As used in this Act:

7 "Advertise" means to engage in promotional activities,
8 including, but not limited to, newspaper, radio, Internet and
9 electronic media, and television advertising, the distribution
10 of fliers and circulars, billboard advertising, and the
11 display of window and interior signs.

12 "Amusement device" means a game or machine which a person
13 activates by inserting or using currency or a coin, card,
14 coupon, slug, token, or similar device, and the person playing
15 or operating the game or machine impacts the outcome of the
16 game. "Amusement device" includes games of skill, games of

1 chance, and games of a combination of skill and chance.
2 "Amusement device" does not include a device certified by the
3 Illinois Gaming Board to be operated by an Illinois Gaming
4 Board licensee.

5 "Crane game" means an amusement device involving skill, if
6 it rewards the player exclusively with merchandise contained
7 within the amusement device proper and limited to toys,
8 novelties, and prizes other than currency, each having a
9 wholesale value which is not more than \$25.

10 "Facilitate" means the aiding, abetting, assisting,
11 inciting, or inducing the wagering on the outcome of any game
12 or contest on any amusement devices by any person.

13 "Family amusement establishment" means a place of business
14 with amusement devices on the premises.

15 "Merchandise" means noncash prizes maintained on the
16 premises by the family amusement establishment, including toys
17 and novelties. "Merchandise" does not include any prize or
18 other item, if the exchange or conversion to cash or a cash
19 equivalent is facilitated or permitted by the family amusement
20 establishment.

21 "Redemption machine" means a single-player or multi-player
22 amusement device involving a game, the object of which is
23 throwing, rolling, bowling, shooting, placing, or propelling a
24 ball or other object that is either physical or computer
25 generated on a display or with lights into, upon, or against a
26 hole or other target that is either physical or computer

1 generated on a display or with lights, or stopping, by
2 physical, mechanical, or electronic means, a moving object
3 that is either physical or computer generated on a display or
4 with lights into, upon, or against a hole or other target that
5 is either physical or computer generated on a display or with
6 lights, if all of the following conditions are met:

7 (1) The outcome of the game is predominantly
8 determined by the skill of the player.

9 (2) The award of the prize is based solely upon the
10 player's achieving the object of the game or otherwise
11 upon the player's score.

12 (3) Only merchandise prizes are awarded.

13 (4) The wholesale value of prizes awarded in lieu of
14 tickets or tokens for single play of the device does not
15 exceed \$25.

16 (5) The redemption value of tickets, tokens, and other
17 representations of value, which may be accumulated by
18 players to redeem prizes of greater value, for a single
19 play of the device does not exceed \$25.

20 "Wager" means a sum of money or thing of value risked on an
21 uncertain outcome.

22 Section 10. Wagering facilitation prohibited. No owner or
23 operator of a family amusement establishment shall facilitate
24 wagering on amusement devices. Facilitating wagering on
25 amusement devices includes, but is not limited to, taking any

1 action that knowingly allows any entity to facilitate wagering
2 on amusement devices on the family amusement establishment's
3 premises.

4 Section 15. Wagering advertising prohibited. No owner or
5 operator of a family amusement establishment shall engage in
6 advertising that promotes wagering on amusement devices.

7 Section 20. Exemptions. Nothing in this Act shall prohibit
8 a family amusement establishment from offering:

9 (1) a coin-in-the-slot operated mechanical device
10 played for amusement which rewards the player with the
11 right to replay such mechanical device, which device is so
12 constructed or devised as to make such result of the
13 operation thereof depend in part upon the skill of the
14 player and which returns to the player thereof no money,
15 property, or right to receive money or property;

16 (2) a vending machine by which full and adequate
17 return is made for the money invested and in which there is
18 no element of chance or hazard;

19 (3) a crane game;

20 (4) a redemption machine; or

21 (5) a bona fide game or contest where the participants
22 pay a fixed entry fee to enter and engage in a game or
23 contest at a scheduled date and time that predominantly
24 involves skill, speed, accuracy, strength, or endurance of

1 the persons entering and participating in the game or
2 contest and one or more of the participants may win a
3 prize, award, or compensation to be paid from the entry
4 fees collected to the actual contestants in the game or
5 contest.

6 Section 25. The Substance Use Disorder Act is amended by
7 changing Sections 1-5, 1-10, 5-5, 5-10, 5-20, 10-10, 10-15,
8 15-5, 15-10, 20-5, 25-5, 25-10, 30-5, 35-5, 35-10, 50-40,
9 55-30, and 55-40 as follows:

10 (20 ILCS 301/1-5)

11 Sec. 1-5. Legislative declaration. Substance use and
12 gambling disorders, as defined in this Act, constitute a
13 serious public health problem. The effects on public safety
14 and the criminal justice system cause serious social and
15 economic losses, as well as great human suffering. It is
16 imperative that a comprehensive and coordinated strategy be
17 developed under the leadership of a State agency. This
18 strategy should be implemented through the facilities of
19 federal and local government and community-based agencies
20 (which may be public or private, volunteer, or professional).
21 Through local prevention, early intervention, treatment, and
22 other recovery support services, this strategy should empower
23 those struggling with these ~~substance use~~ disorders (and, when
24 appropriate, the families of those persons) to lead healthy

1 lives.

2 The human, social, and economic benefits of preventing
3 these ~~substance use~~ disorders are great, and it is imperative
4 that there be interagency cooperation in the planning and
5 delivery of prevention, early intervention, treatment, and
6 other recovery support services in Illinois.

7 The provisions of this Act shall be liberally construed to
8 enable the Department to carry out these objectives and
9 purposes.

10 (Source: P.A. 100-759, eff. 1-1-19.)

11 (20 ILCS 301/1-10)

12 Sec. 1-10. Definitions. As used in this Act, unless the
13 context clearly indicates otherwise, the following words and
14 terms have the following meanings:

15 "Case management" means a coordinated approach to the
16 delivery of health and medical treatment, substance use
17 disorder treatment, gambling disorder treatment, mental health
18 treatment, and social services, linking patients with
19 appropriate services to address specific needs and achieve
20 stated goals. In general, case management assists patients
21 with other disorders and conditions that require multiple
22 services over extended periods of time and who face difficulty
23 in gaining access to those services.

24 "Crime of violence" means any of the following crimes:
25 murder, voluntary manslaughter, criminal sexual assault,

1 aggravated criminal sexual assault, predatory criminal sexual
2 assault of a child, armed robbery, robbery, arson, kidnapping,
3 aggravated battery, aggravated arson, or any other felony that
4 involves the use or threat of physical force or violence
5 against another individual.

6 "Department" means the Department of Human Services.

7 "DUI" means driving under the influence of alcohol or
8 other drugs.

9 "Designated program" means a category of service
10 authorized by an intervention license issued by the Department
11 for delivery of all services as described in Article 40 in this
12 Act.

13 "Early intervention" means services, authorized by a
14 treatment license, that are sub-clinical and pre-diagnostic
15 and that are designed to screen, identify, and address risk
16 factors that may be related to problems associated with a
17 substance use or gambling disorder ~~substance use disorders~~ and
18 to assist individuals in recognizing harmful consequences.
19 Early intervention services facilitate emotional and social
20 stability and involve ~~involves~~ referrals for treatment, as
21 needed.

22 "Facility" means the building or premises are used for the
23 provision of licensable services, including support services,
24 as set forth by rule.

25 "Gambling" means the risking of money or other items of
26 value in games of chance, including video gaming, sports

1 betting, and other games of chance.

2 "Gambling disorder" means persistent and recurrent
3 problematic gambling behavior leading to clinically
4 significant impairment or distress. ~~recurring maladaptive~~
5 ~~gambling behavior that disrupts personal, family, or~~
6 ~~vocational pursuits.~~

7 "Gaming" means the action or practice of playing video
8 games.

9 "Holds itself out" means any activity that would lead one
10 to reasonably conclude that the individual or entity provides
11 or intends to provide licensable substance-related disorder
12 intervention or treatment services. Such activities include,
13 but are not limited to, advertisements, notices, statements,
14 or contractual arrangements with managed care organizations,
15 private health insurance, or employee assistance programs to
16 provide services that require a license as specified in
17 Article 15.

18 "Informed consent" means legally valid written consent,
19 given by a client, patient, or legal guardian, that authorizes
20 intervention or treatment services from a licensed
21 organization and that documents agreement to participate in
22 those services and knowledge of the consequences of withdrawal
23 from such services. Informed consent also acknowledges the
24 client's or patient's right to a conflict-free choice of
25 services from any licensed organization and the potential
26 risks and benefits of selected services.

1 "Intoxicated person" means a person whose mental or
2 physical functioning is substantially impaired as a result of
3 the current effects of alcohol or other drugs within the body.

4 "Medication assisted treatment" means the prescription of
5 medications that are approved by the U.S. Food and Drug
6 Administration and the Center for Substance Abuse Treatment to
7 assist with treatment for a substance use disorder and to
8 support recovery for individuals receiving services in a
9 facility licensed by the Department. "Medication assisted
10 treatment" includes opioid treatment services as authorized by
11 a Department license.

12 "Off-site services" means licensable services are
13 conducted at a location separate from the licensed location of
14 the provider, and services are operated by an entity licensed
15 under this Act and approved in advance by the Department.

16 "Person" means any individual, firm, group, association,
17 partnership, corporation, trust, government, or governmental
18 subdivision or agency.

19 "Prevention" means an interactive process of individuals,
20 families, schools, religious organizations, communities, and
21 regional, State, state and national organizations whose goals
22 are to reduce the prevalence of substance use or gambling
23 disorders, prevent the use of illegal drugs and the abuse of
24 legal drugs by persons of all ages, prevent the use of alcohol
25 by minors, reduce the severity of harm in gambling by persons
26 of all ages, build the capacities of individuals and systems,

1 and promote healthy environments, lifestyles, and behaviors.

2 "Recovery" means a process of change through which
3 individuals improve their health and wellness, live a
4 self-directed life, and reach their full potential.

5 "Recovery support" means services designed to support
6 individual recovery from a substance use or gambling disorder
7 that may be delivered pre-treatment, during treatment, or post
8 treatment. These services may be delivered in a wide variety
9 of settings for the purpose of supporting the individual in
10 meeting his or her recovery support goals.

11 "Secretary" means the Secretary of the Department of Human
12 Services or his or her designee.

13 "Substance use disorder" means a spectrum of persistent
14 and recurring problematic behavior that encompasses 10
15 separate classes of drugs: alcohol; caffeine; cannabis;
16 hallucinogens; inhalants; opioids; sedatives, hypnotics, and
17 anxiolytics; stimulants; and tobacco; and other unknown
18 substances leading to clinically significant impairment or
19 distress.

20 "Treatment" means the broad range of emergency,
21 outpatient, and residential care (including assessment,
22 diagnosis, case management, treatment, and recovery support
23 planning) ~~may be extended~~ to individuals ~~with substance use~~
24 ~~disorders~~ or to the families of those persons.

25 "Withdrawal management" means services designed to manage
26 intoxication or withdrawal episodes (previously referred to as

1 detoxification), interrupt the momentum of habitual,
2 compulsive substance use and begin the initial engagement in
3 medically necessary substance use disorder treatment.
4 Withdrawal management allows patients to safely withdraw from
5 substances in a controlled medically-structured environment.

6 (Source: P.A. 100-759, eff. 1-1-19.)

7 (20 ILCS 301/5-5)

8 Sec. 5-5. Successor department; home rule.

9 (a) The Department of Human Services, as successor to the
10 Department of Alcoholism and Substance Abuse, shall assume the
11 various rights, powers, duties, and functions provided for in
12 this Act.

13 (b) It is declared to be the public policy of this State,
14 pursuant to paragraphs (h) and (i) of Section 6 of Article VII
15 of the Illinois Constitution of 1970, that the powers and
16 functions set forth in this Act and expressly delegated to the
17 Department are exclusive State powers and functions. Nothing
18 herein prohibits the exercise of any power or the performance
19 of any function, including the power to regulate, for the
20 protection of the public health, safety, morals, and welfare,
21 by any unit of local government, other than the powers and
22 functions set forth in this Act and expressly delegated to the
23 Department to be exclusive State powers and functions.

24 (c) The Department shall, through accountable and
25 efficient leadership, example, and commitment to excellence,

1 strive to reduce the incidence of substance use or gambling
2 disorders by:

3 (1) Fostering public understanding of substance use
4 disorders and how they affect individuals, families, and
5 communities.

6 (2) Promoting healthy lifestyles.

7 (3) Promoting understanding and support for sound
8 public policies.

9 (4) Ensuring quality prevention, early intervention,
10 treatment, and other recovery support services that are
11 accessible and responsive to the diverse needs of
12 individuals, families, and communities.

13 (Source: P.A. 100-759, eff. 1-1-19.)

14 (20 ILCS 301/5-10)

15 Sec. 5-10. Functions of the Department.

16 (a) In addition to the powers, duties, and functions
17 vested in the Department by this Act, or by other laws of this
18 State, the Department shall carry out the following
19 activities:

20 (1) Design, coordinate, and fund comprehensive
21 community-based and culturally and gender-appropriate
22 services throughout the State. These services must include
23 prevention, early intervention, treatment, and other
24 recovery support services ~~for substance use disorders~~ that
25 are accessible and address the needs of at-risk

1 individuals and their families.

2 (2) Act as the exclusive State agency to accept,
3 receive, and expend, pursuant to appropriation, any public
4 or private monies, grants, or services, including those
5 received from the federal government or from other State
6 agencies, for the purpose of providing prevention, early
7 intervention, treatment, and other recovery support
8 services for substance use or gambling disorders.

9 (2.5) In partnership with the Department of Healthcare
10 and Family Services, act as one of the principal State
11 agencies for the sole purpose of calculating the
12 maintenance of effort requirement under Section 1930 of
13 Title XIX, Part B, Subpart II of the Public Health Service
14 Act (42 U.S.C. 300x-30) and the Interim Final Rule (45 CFR
15 96.134).

16 (3) Coordinate a statewide strategy for the
17 prevention, early intervention, treatment, and recovery
18 support of substance use or gambling disorders. This
19 strategy shall include the development of a comprehensive
20 plan, submitted annually with the application for federal
21 substance use disorder block grant funding, for the
22 provision of an array of such services. The plan shall be
23 based on local community-based needs and upon data, and
24 including, but not limited to, that which defines the
25 prevalence of and costs associated with these substance
26 ~~use~~ disorders. This comprehensive plan shall include

1 identification of problems, needs, priorities, services,
2 and other pertinent information, including the needs of
3 marginalized communities ~~minorities~~ and other specific
4 priority populations in the State, and shall describe how
5 the identified problems and needs will be addressed. For
6 purposes of this paragraph, the term "marginalized
7 communities ~~minorities~~ and other specific priority
8 populations" may include, but shall not be limited to,
9 groups such as women, children, persons who use
10 intravenous drugs ~~intravenous drug users~~, persons with
11 AIDS or who are HIV infected, veterans, ~~African Americans,~~
12 ~~Puerto Ricans, Hispanics, Asian Americans,~~ the elderly,
13 persons in the criminal justice system, persons who are
14 clients of services provided by other State agencies,
15 persons with disabilities,
16 and such other specific
17 populations as the Department may from time to time
18 identify. In developing the plan, the Department shall
19 seek input from providers, parent groups, associations,
20 and interested citizens.

21 The plan developed under this Section shall include an
22 explanation of the rationale to be used in ensuring that
23 funding shall be based upon local community needs,
24 including, but not limited to, the incidence and
25 prevalence of, and costs associated with, these substance
26 ~~use~~ disorders, as well as upon demonstrated program
performance.

1 The plan developed under this Section shall also
2 contain a report detailing the activities of and progress
3 made through services for the care and treatment of these
4 ~~substance use~~ disorders among pregnant women and mothers
5 and their children established under subsection (j) of
6 Section 35-5.

7 As applicable, the plan developed under this Section
8 shall also include information about funding by other
9 State agencies for prevention, early intervention,
10 treatment, and other recovery support services.

11 (4) Lead, foster, and develop cooperation,
12 coordination, and agreements among federal and State
13 governmental agencies and local providers that provide
14 assistance, services, funding, or other functions,
15 peripheral or direct, in the prevention, early
16 intervention, treatment, and recovery support for
17 substance use or gambling disorders. This shall include,
18 but shall not be limited to, the following:

19 (A) Cooperate with and assist other State
20 agencies, as applicable, in establishing and
21 conducting these ~~substance use disorder~~ services among
22 the populations they respectively serve.

23 (B) Cooperate with and assist the Illinois
24 Department of Public Health in the establishment,
25 funding, and support of programs and services for the
26 promotion of maternal and child health and the

1 prevention and treatment of infectious diseases,
2 including, but not limited to, HIV infection,
3 especially with respect to those persons who are high
4 risk due to intravenous injection of illegal drugs, or
5 who may have been sexual partners of these
6 individuals, or who may have impaired immune systems
7 as a result of a substance use disorder.

8 (C) Supply to the Department of Public Health and
9 prenatal care providers a list of all providers who
10 are licensed to provide substance use disorder
11 treatment for pregnant women in this State.

12 (D) Assist in the placement of child abuse or
13 neglect perpetrators (identified by the Illinois
14 Department of Children and Family Services (DCFS)) who
15 have been determined to be in need of substance use
16 disorder treatment pursuant to Section 8.2 of the
17 Abused and Neglected Child Reporting Act.

18 (E) Cooperate with and assist DCFS in carrying out
19 its mandates to:

20 (i) identify substance use and gambling
21 disorders among its clients and their families;
22 and

23 (ii) develop services to deal with such
24 disorders.

25 These services may include, but shall not be limited
26 to, programs to prevent or treat substance use or

1 gambling disorders with DCFS clients and their
2 families, identifying child care needs within such
3 treatment, and assistance with other issues as
4 required.

5 (F) Cooperate with and assist the Illinois
6 Criminal Justice Information Authority with respect to
7 statistical and other information concerning the
8 incidence and prevalence of substance use or gambling
9 disorders.

10 (G) Cooperate with and assist the State
11 Superintendent of Education, boards of education,
12 schools, police departments, the Illinois State
13 Police, courts, and other public and private agencies
14 and individuals in establishing substance use or
15 gambling disorder prevention programs statewide and
16 preparing curriculum materials for use at all levels
17 of education.

18 (H) Cooperate with and assist the Illinois
19 Department of Healthcare and Family Services in the
20 development and provision of services offered to
21 recipients of public assistance for the treatment and
22 prevention of substance use or gambling disorders.

23 (I) (Blank).

24 (5) From monies appropriated to the Department from
25 the Drunk and Drugged Driving Prevention Fund, reimburse
26 DUI evaluation and risk education programs licensed by the

1 Department for providing indigent persons with free or
2 reduced-cost evaluation and risk education services
3 relating to a charge of driving under the influence of
4 alcohol or other drugs.

5 (6) Promulgate regulations to identify and disseminate
6 best practice guidelines that can be utilized by publicly
7 and privately funded programs as well as for levels of
8 payment to government funded programs that provide
9 prevention, early intervention, treatment, and other
10 recovery support services for substance use or gambling
11 disorders and those services referenced in Sections 15-10
12 and 40-5.

13 (7) In consultation with providers and related trade
14 associations, specify a uniform methodology for use by
15 funded providers and the Department for billing and
16 collection and dissemination of statistical information
17 regarding services related to substance use or gambling
18 disorders.

19 (8) Receive data and assistance from federal, State,
20 and local governmental agencies, and obtain copies of
21 identification and arrest data from all federal, State,
22 and local law enforcement agencies for use in carrying out
23 the purposes and functions of the Department.

24 (9) Designate and license providers to conduct
25 screening, assessment, referral, and tracking of clients
26 identified by the criminal justice system as having

1 indications of substance use disorders and being eligible
2 to make an election for treatment under Section 40-5 of
3 this Act, and assist in the placement of individuals who
4 are under court order to participate in treatment.

5 (10) Identify and disseminate evidence-based best
6 practice guidelines as maintained in administrative rule
7 that can be utilized to determine a substance use or
8 gambling disorder diagnosis.

9 (11) (Blank).

10 (11.5) Make grants with funds appropriated to the
11 Department as provided in Section 50 of the Video Gaming
12 Act and subsection (c) of Section 13 of the Illinois
13 Gambling Act.

14 (12) Make grants with funds appropriated from the Drug
15 Treatment Fund in accordance with Section 7 of the
16 Controlled Substance and Cannabis Nuisance Act, or in
17 accordance with Section 80 of the Methamphetamine Control
18 and Community Protection Act, or in accordance with
19 subsections (h) and (i) of Section 411.2 of the Illinois
20 Controlled Substances Act, or in accordance with Section
21 6z-107 of the State Finance Act.

22 (13) Encourage all health and disability insurance
23 programs to include substance use and gambling disorder
24 treatment as ~~a~~ covered services ~~service~~ and to use
25 evidence-based best practice criteria as maintained in
26 administrative rule and as required in Public Act 99-0480

1 in determining the necessity for such services and
2 continued stay.

3 (14) Award grants and enter into fixed-rate and
4 fee-for-service arrangements with any other department,
5 authority, or commission of this State, or any other state
6 or the federal government or with any public or private
7 agency, including the disbursement of funds and furnishing
8 of staff, to effectuate the purposes of this Act.

9 (15) Conduct a public information campaign to inform
10 the State's Hispanic residents regarding the prevention
11 and treatment of substance use or gambling disorders.

12 (b) In addition to the powers, duties, and functions
13 vested in it by this Act, or by other laws of this State, the
14 Department may undertake, but shall not be limited to, the
15 following activities:

16 (1) Require all organizations licensed or funded by
17 the Department to include an education component to inform
18 participants regarding the causes and means of
19 transmission and methods of reducing the risk of acquiring
20 or transmitting HIV infection and other infectious
21 diseases, and to include funding for such education
22 component in its support of the program.

23 (2) Review all State agency applications for federal
24 funds that include provisions relating to the prevention,
25 early intervention, and treatment of substance use or
26 gambling disorders in order to ensure consistency.

1 (3) Prepare, publish, evaluate, disseminate, and serve
2 as a central repository for educational materials dealing
3 with the nature and effects of substance use or gambling
4 disorders. Such materials may deal with the educational
5 needs of the citizens of Illinois, and may include at
6 least pamphlets that describe the causes and effects of
7 fetal alcohol spectrum disorders.

8 (4) Develop and coordinate, with regional and local
9 agencies, education and training programs for persons
10 engaged in providing services for persons with substance
11 use or gambling disorders, which programs may include
12 specific HIV education and training for program personnel.

13 (5) Cooperate with and assist in the development of
14 education, prevention, early intervention, and treatment
15 programs for employees of State and local governments and
16 businesses in the State.

17 (6) Utilize the support and assistance of interested
18 persons in the community, including recovering persons, to
19 assist individuals and communities in understanding the
20 dynamics of substance use or gambling disorders, and to
21 encourage individuals with these ~~substance use~~ disorders
22 to voluntarily undergo treatment.

23 (7) Promote, conduct, assist, or sponsor basic
24 clinical, epidemiological, and statistical research into
25 substance use or gambling disorders and research into the
26 prevention of those problems either solely or in

1 conjunction with any public or private agency.

2 (8) Cooperate with public and private agencies,
3 organizations, institutions of higher education, and
4 individuals in the development of programs, and to provide
5 technical assistance and consultation services for this
6 purpose.

7 (9) (Blank).

8 (10) (Blank).

9 (11) Fund, promote, or assist entities dealing with
10 substance use or gambling disorders.

11 (12) With monies appropriated from the Group Home Loan
12 Revolving Fund, make loans, directly or through
13 subcontract, to assist in underwriting the costs of
14 housing in which individuals recovering from substance use
15 or gambling disorders may reside, pursuant to Section
16 50-40 of this Act.

17 (13) Promulgate such regulations as may be necessary
18 to carry out the purposes and enforce the provisions of
19 this Act.

20 (14) Provide funding to help parents be effective in
21 preventing substance use or gambling disorders by building
22 an awareness of the family's role in preventing these
23 ~~substance use~~ disorders through adjusting expectations,
24 developing new skills, and setting positive family goals.
25 The programs shall include, but not be limited to, the
26 following subjects: healthy family communication;

1 establishing rules and limits; how to reduce family
2 conflict; how to build self-esteem, competency, and
3 responsibility in children; how to improve motivation and
4 achievement; effective discipline; problem solving
5 techniques; healthy gaming and play habits; appropriate
6 financial planning and investment strategies; how to talk
7 about gambling and related activities; and how to talk
8 about substance use or gambling ~~drugs and alcohol~~. The
9 programs shall be open to all parents.

10 (15) Establish an Opioid Remediation Services Capital
11 Investment Grant Program. The Department may, subject to
12 appropriation and approval through the Opioid Overdose
13 Prevention and Recovery Steering Committee, after
14 recommendation by the Illinois Opioid Remediation Advisory
15 Board, and certification by the Office of the Attorney
16 General, make capital improvement grants to units of local
17 government and substance use prevention, treatment, and
18 recovery service providers addressing opioid remediation
19 in the State for approved abatement uses under the
20 Illinois Opioid Allocation Agreement. The Illinois Opioid
21 Remediation State Trust Fund shall be the source of
22 funding for the program. Eligible grant recipients shall
23 be units of local government and substance use prevention,
24 treatment, and recovery service providers that offer
25 facilities and services in a manner that supports and
26 meets the approved uses of the opioid settlement funds.

1 Eligible grant recipients have no entitlement to a grant
2 under this Section. The Department of Human Services may
3 consult with the Capital Development Board, the Department
4 of Commerce and Economic Opportunity, and the Illinois
5 Housing Development Authority to adopt rules to implement
6 this Section and may create a competitive application
7 procedure for grants to be awarded. The rules may specify
8 the manner of applying for grants; grantee eligibility
9 requirements; project eligibility requirements;
10 restrictions on the use of grant moneys; the manner in
11 which grantees must account for the use of grant moneys;
12 and any other provision that the Department of Human
13 Services determines to be necessary or useful for the
14 administration of this Section. Rules may include a
15 requirement for grantees to provide local matching funds
16 in an amount equal to a specific percentage of the grant.
17 No portion of an opioid remediation services capital
18 investment grant awarded under this Section may be used by
19 a grantee to pay for any ongoing operational costs or
20 outstanding debt. The Department of Human Services may
21 consult with the Capital Development Board, the Department
22 of Commerce and Economic Opportunity, and the Illinois
23 Housing Development Authority in the management and
24 disbursement of funds for capital-related projects. The
25 Capital Development Board, the Department of Commerce and
26 Economic Opportunity, and the Illinois Housing Development

1 Authority shall act in a consulting role only for the
2 evaluation of applicants, scoring of applicants, or
3 administration of the grant program.

4 (c) There is created within the Department of Human
5 Services an Office of Opioid Settlement Administration. The
6 Office shall be responsible for implementing and administering
7 approved abatement programs as described in Exhibit B of the
8 Illinois Opioid Allocation Agreement, effective December 30,
9 2021. The Office may also implement and administer other
10 opioid-related programs, including, but not limited to,
11 prevention, treatment, and recovery services from other funds
12 made available to the Department of Human Services. The
13 Secretary of Human Services shall appoint or assign staff as
14 necessary to carry out the duties and functions of the Office.

15 (Source: P.A. 102-538, eff. 8-20-21; 102-699, eff. 4-19-22;
16 103-8, eff. 6-7-23.)

17 (20 ILCS 301/5-20)

18 Sec. 5-20. Gambling disorders.

19 (a) Subject to appropriation, the Department shall
20 establish a program for public education, research, and
21 training regarding gambling disorders and the treatment and
22 prevention of gambling disorders. Subject to specific
23 appropriation for these stated purposes, the program must
24 include all of the following:

25 (1) Establishment and maintenance of a toll-free

1 hotline and website ~~"800" telephone number~~ to provide
2 crisis counseling and referral services for ~~to~~ families
3 experiencing difficulty related to a ~~as a result of~~
4 gambling disorder ~~disorders~~.

5 (2) Promotion of public awareness regarding the
6 recognition and prevention of gambling disorders.
7 Promotion of public awareness to create a gambling
8 informed State regarding the impact of gambling disorders
9 on individuals, families, and communities and the stigma
10 that surrounds gambling disorders.

11 (3) Facilitation, through in-service training,
12 certification promotion, and other innovative means, of
13 the availability of effective assistance programs for
14 gambling disorders.

15 (4) Conducting studies to, and through other
16 innovative means, identify adults and juveniles in this
17 State who have, or who are at risk of developing, gambling
18 disorders.

19 (5) Utilize screening, crisis intervention, treatment,
20 public awareness, prevention, in-service training, and
21 other innovative means, to decrease the incidence of
22 suicide attempts related to a gambling disorder or
23 gambling issues.

24 (b) Subject to appropriation, the Department shall either
25 establish and maintain the program or contract with a private
26 or public entity for the establishment and maintenance of the

1 program. Subject to appropriation, either the Department or
2 the private or public entity shall implement the hotline and
3 website ~~toll-free telephone number~~, promote public awareness,
4 conduct research, fund treatment and recovery services, and
5 conduct in-service training concerning gambling disorders.

6 (c) The Department shall determine a statement regarding
7 obtaining assistance with a gambling disorder which each
8 licensed gambling establishment owner shall post and each
9 master sports wagering licensee shall include on the master
10 sports wagering licensee's portal, Internet website, or
11 computer or mobile application. Subject to appropriation, the
12 Department shall produce and supply the signs with the
13 statement as specified in Section 10.7 of the Illinois Lottery
14 Law, Section 34.1 of the Illinois Horse Racing Act of 1975,
15 Section 4.3 of the Bingo License and Tax Act, Section 8.1 of
16 the Charitable Games Act, Section 25.95 of the Sports Wagering
17 Act, ~~and~~ Section 13.1 of the Illinois Gambling Act, and the
18 Video Gaming Act.

19 (d) Programs; gambling disorder prevention.

20 (1) The Department may establish a program to provide
21 for the production and publication, in electronic and
22 other formats, of gambling prevention, recognition,
23 treatment, and recovery literature and other public
24 education methods. The Department may develop and
25 disseminate curricula for use by professionals,
26 organizations, individuals, or committees interested in

1 the prevention of gambling disorders.

2 (2) The Department may provide advice to State and
3 local officials on gambling disorders, including the
4 prevalence of gambling disorders, programs treating or
5 promoting prevention of gambling disorders, trends in
6 gambling disorder prevalence, and the relationship between
7 gaming and gambling disorders.

8 (3) The Department may support gambling disorder
9 prevention, recognition, treatment, and recovery projects
10 by facilitating the acquisition of gambling prevention
11 curriculums, providing trainings in gambling disorder
12 prevention best practices, connecting programs to health
13 care resources, establishing learning collaboratives
14 between localities and programs, and assisting programs in
15 navigating any regulatory requirements for establishing or
16 expanding such programs.

17 (4) In supporting best practices in gambling disorder
18 prevention programming, the Department may promote the
19 following programmatic elements:

20 (A) Providing funding for community-based
21 organizations to employ community health workers or
22 peer recovery specialists who are familiar with the
23 communities served and can provide culturally
24 competent services.

25 (B) Collaborating with other community-based
26 organizations, substance use disorder treatment

1 centers, or other health care providers engaged in
2 treating individuals who are experiencing gambling
3 disorder.

4 (C) Providing linkages for individuals to obtain
5 evidence-based gambling disorder treatment.

6 (D) Engaging individuals exiting jails or prisons
7 who are at a high risk of developing a gambling
8 disorder.

9 (E) Providing education and training to
10 community-based organizations who work directly with
11 individuals who are experiencing gambling disorders
12 and those individuals' families and communities.

13 (F) Providing education and training on gambling
14 disorder prevention and response to the judicial
15 system.

16 (G) Informing communities of the impact gambling
17 disorder has on suicidal ideation and suicide attempts
18 and the role health care professionals can have in
19 identifying appropriate treatment.

20 (H) Producing and distributing targeted mass media
21 materials on gambling disorder prevention and
22 response, and the potential dangers of gambling
23 related stigma.

24 (e) Grants.

25 (1) The Department may award grants, in accordance
26 with this subsection, to create or support local gambling

1 prevention, recognition, and response projects. Local
2 health departments, correctional institutions, hospitals,
3 universities, community-based organizations, and
4 faith-based organizations may apply to the Department for
5 a grant under this subsection at the time and in the manner
6 the Department prescribes.

7 (2) In awarding grants, the Department shall consider
8 the necessity for gambling disorder prevention projects in
9 various settings and shall encourage all grant applicants
10 to develop interventions that will be effective and viable
11 in their local areas.

12 (3) In addition to moneys appropriated by the General
13 Assembly, the Department may seek grants from private
14 foundations, the federal government, and other sources to
15 fund the grants under this Section and to fund an
16 evaluation of the programs supported by the grants.

17 (4) The Department may award grants to create or
18 support local gambling treatment programs. Such programs
19 may include prevention, early intervention, residential
20 and outpatient treatment, and recovery support services
21 for gambling disorders. Local health departments,
22 hospitals, universities, community-based organizations,
23 and faith-based organizations may apply to the Department
24 for a grant under this subsection at the time and in the
25 manner the Department prescribes.

26 (Source: P.A. 100-759, eff. 1-1-19; 101-31, eff. 6-28-19.)

1 (20 ILCS 301/10-10)

2 Sec. 10-10. Powers and duties of the Council. The Council
3 shall:

4 (a) Advise the Department on ways to encourage public
5 understanding and support of the Department's programs.

6 (b) Advise the Department on regulations and licensure
7 proposed by the Department.

8 (c) Advise the Department in the formulation,
9 preparation, and implementation of the annual plan
10 submitted with the federal Substance Use Disorder Block
11 Grant application for prevention, early intervention,
12 treatment, and other recovery support services for
13 substance use disorders.

14 (d) Advise the Department on implementation of
15 substance use and gambling disorder education and
16 prevention programs throughout the State.

17 (e) Assist with incorporating into the annual plan
18 submitted with the federal Substance Use Disorder Block
19 Grant application, planning information specific to
20 Illinois' female population. The information shall
21 contain, but need not be limited to, the types of services
22 funded, the population served, the support services
23 available, and the goals, objectives, proposed methods of
24 achievement, service projections, and cost estimate for
25 the upcoming year.

1 (f) Perform other duties as requested by the
2 Secretary.

3 (g) Advise the Department in the planning,
4 development, and coordination of programs among all
5 agencies and departments of State government, including
6 programs to reduce substance use and gambling disorders,
7 prevent the misuse of illegal and legal drugs by persons
8 of all ages, prevent gambling and gambling behaviors while
9 gaming by minors, and prevent the use of alcohol by
10 minors.

11 (h) Promote and encourage participation by the private
12 sector, including business, industry, labor, and the
13 media, in programs to prevent substance use and gambling
14 disorders.

15 (i) Encourage the implementation of programs to
16 prevent substance use and gambling disorders in the public
17 and private schools and educational institutions.

18 (j) Gather information, conduct hearings, and make
19 recommendations to the Secretary concerning additions,
20 deletions, or rescheduling of substances under the
21 Illinois Controlled Substances Act.

22 (k) Report as requested to the General Assembly
23 regarding the activities and recommendations made by the
24 Council.

25 (Source: P.A. 100-759, eff. 1-1-19.)

1 (20 ILCS 301/10-15)

2 Sec. 10-15. Qualification and appointment of members. The
3 membership of the Illinois Advisory Council may, as needed,
4 consist of:

5 (a) A State's Attorney designated by the President of
6 the Illinois State's Attorneys Association.

7 (b) A judge designated by the Chief Justice of the
8 Illinois Supreme Court.

9 (c) A Public Defender appointed by the President of
10 the Illinois Public Defender Association.

11 (d) A local law enforcement officer appointed by the
12 Governor.

13 (e) A labor representative appointed by the Governor.

14 (f) An educator appointed by the Governor.

15 (g) A physician licensed to practice medicine in all
16 its branches appointed by the Governor with due regard for
17 the appointee's knowledge of the field of substance use
18 disorders.

19 (h) 4 members of the Illinois House of
20 Representatives, 2 each appointed by the Speaker and
21 Minority Leader.

22 (i) 4 members of the Illinois Senate, 2 each appointed
23 by the President and Minority Leader.

24 (j) The Chief Executive Officer of the Illinois
25 Association for Behavioral Health or his or her designee.

26 (k) An advocate for the needs of youth appointed by

1 the Governor.

2 (l) The President of the Illinois State Medical
3 Society or his or her designee.

4 (m) The President of the Illinois Hospital Association
5 or his or her designee.

6 (n) The President of the Illinois Nurses Association
7 or a registered nurse designated by the President.

8 (o) The President of the Illinois Pharmacists
9 Association or a licensed pharmacist designated by the
10 President.

11 (p) The President of the Illinois Chapter of the
12 Association of Labor-Management Administrators and
13 Consultants on Alcoholism.

14 (p-1) The Chief Executive Officer of the Community
15 Behavioral Healthcare Association of Illinois or his or
16 her designee.

17 (q) The Attorney General or his or her designee.

18 (r) The State Comptroller or his or her designee.

19 (s) 20 public members, 8 appointed by the Governor, 3
20 of whom shall be representatives of substance use or
21 gambling disorder treatment programs and one of whom shall
22 be a representative of a manufacturer or importing
23 distributor of alcoholic liquor licensed by the State of
24 Illinois, and 3 public members appointed by each of the
25 President and Minority Leader of the Senate and the
26 Speaker and Minority Leader of the House.

1 (t) The Director, Secretary, or other chief
2 administrative officer, ex officio, or his or her
3 designee, of each of the following: the Department on
4 Aging, the Department of Children and Family Services, the
5 Department of Corrections, the Department of Juvenile
6 Justice, the Department of Healthcare and Family Services,
7 the Department of Revenue, the Department of Public
8 Health, the Department of Financial and Professional
9 Regulation, the Illinois State Police, the Administrative
10 Office of the Illinois Courts, the Criminal Justice
11 Information Authority, and the Department of
12 Transportation.

13 (u) Each of the following, ex officio, or his or her
14 designee: the Secretary of State, the State Superintendent
15 of Education, and the Chairman of the Board of Higher
16 Education.

17 The public members may not be officers or employees of the
18 executive branch of State government; however, the public
19 members may be officers or employees of a State college or
20 university or of any law enforcement agency. In appointing
21 members, due consideration shall be given to the experience of
22 appointees in the fields of medicine, law, prevention,
23 correctional activities, and social welfare. Vacancies in the
24 public membership shall be filled for the unexpired term by
25 appointment in like manner as for original appointments, and
26 the appointive members shall serve until their successors are

1 appointed and have qualified. Vacancies among the public
2 members appointed by the legislative leaders shall be filled
3 by the leader of the same house and of the same political party
4 as the leader who originally appointed the member.

5 Each non-appointive member may designate a representative
6 to serve in his place by written notice to the Department. All
7 General Assembly members shall serve until their respective
8 successors are appointed or until termination of their
9 legislative service, whichever occurs first. The terms of
10 office for each of the members appointed by the Governor shall
11 be for 3 years, except that of the members first appointed, 3
12 shall be appointed for a term of one year, and 4 shall be
13 appointed for a term of 2 years. The terms of office of each of
14 the public members appointed by the legislative leaders shall
15 be for 2 years.

16 (Source: P.A. 102-538, eff. 8-20-21.)

17 (20 ILCS 301/15-5)

18 Sec. 15-5. Applicability.

19 (a) It is unlawful for any person to provide treatment for
20 substance use or gambling disorders or to provide services as
21 specified in subsections (a) and (b) of Section 15-10 of this
22 Act unless the person is licensed to do so by the Department.
23 The performance of these activities by any person in violation
24 of this Act is declared to be inimical to the public health and
25 welfare, and to be a public nuisance. The Department may

1 undertake such inspections and investigations as it deems
2 appropriate to determine whether licensable activities are
3 being conducted without the requisite license.

4 (b) Nothing in this Act shall be construed to require any
5 hospital, as defined by the Hospital Licensing Act, required
6 to have a license from the Department of Public Health
7 pursuant to the Hospital Licensing Act to obtain any license
8 under this Act for any substance use disorder treatment
9 services operated on the licensed premises of the hospital,
10 and operated by the hospital or its designated agent, provided
11 that such services are covered within the scope of the
12 Hospital Licensing Act. No person or facility required to be
13 licensed under this Act shall be required to obtain a license
14 pursuant to the Hospital Licensing Act or the Child Care Act of
15 1969.

16 (c) Nothing in this Act shall be construed to require an
17 individual employee of a licensed program to be licensed under
18 this Act.

19 (d) Nothing in this Act shall be construed to require any
20 private professional practice, whether by an individual
21 practitioner, by a partnership, or by a duly incorporated
22 professional service corporation, that provides outpatient
23 treatment for substance use disorders to be licensed under
24 this Act, provided that the treatment is rendered personally
25 by the professional in his own name and the professional is
26 authorized by individual professional licensure or

1 registration from the Department of Financial and Professional
2 Regulation to provide substance use disorder treatment
3 unsupervised. This exemption shall not apply to such private
4 professional practice that provides or holds itself out, as
5 defined in Section 1-10, as providing substance use disorder
6 outpatient treatment. This exemption shall also not apply to
7 licensable intervention services, research, or residential
8 treatment services as defined in this Act or by rule.

9 Notwithstanding any other provisions of this subsection to
10 the contrary, persons licensed to practice medicine in all of
11 its branches in Illinois shall not require licensure under
12 this Act unless their private professional practice provides
13 and holds itself out, as defined in Section 1-10, as providing
14 substance use disorder outpatient treatment.

15 (e) Nothing in this Act shall be construed to require any
16 employee assistance program operated by an employer or any
17 intervenor program operated by a professional association to
18 obtain any license pursuant to this Act to perform services
19 that do not constitute licensable treatment or intervention as
20 defined in this Act.

21 (f) Before any violation of this Act is reported by the
22 Department or any of its agents to any State's Attorney for the
23 institution of a criminal proceeding, the person against whom
24 such proceeding is contemplated shall be given appropriate
25 notice and an opportunity to present his views before the
26 Department or its designated agent, either orally or in

1 writing, in person or by an attorney, with regard to such
2 contemplated proceeding. Nothing in this Act shall be
3 construed as requiring the Department to report minor
4 violations of this Act whenever the Department believes that
5 the public interest would be adequately served by a suitable
6 written notice or warning.

7 (Source: P.A. 100-759, eff. 1-1-19.)

8 (20 ILCS 301/15-10)

9 Sec. 15-10. Licensure categories and services. No person
10 or program may provide the services or conduct the activities
11 described in this Section without first obtaining a license
12 therefor from the Department, unless otherwise exempted under
13 this Act. The Department shall, by rule, provide requirements
14 for each of the following types of licenses and categories of
15 service:

16 (a) Treatment: Categories of treatment service for a
17 substance use or gambling disorder ~~authorized by a~~
18 ~~treatment license~~ are Early Intervention, Outpatient,
19 Intensive Outpatient/Partial Hospitalization, Subacute
20 Residential/Inpatient, and Withdrawal Management.
21 Medication assisted treatment that includes methadone used
22 for an opioid use disorder can be licensed as an adjunct to
23 any of the treatment levels of care specified in this
24 Section.

25 (b) Intervention: Categories of intervention service

1 ~~authorized by an intervention license~~ are DUI Evaluation,
2 DUI Risk Education, Designated Program, and Recovery Homes
3 for persons in any stage of recovery from a substance use
4 or gambling disorder. Harm Reduction Services is another
5 category of intervention licensure that may be issued if
6 and when legal authorization is adopted to allow for
7 services and upon adoption of administrative or funding
8 rules that govern the delivery of these services.

9 The Department may, under procedures established by rule
10 and upon a showing of good cause for such, exempt off-site
11 services from having to obtain a separate license for services
12 conducted away from the provider's licensed location.

13 (Source: P.A. 100-759, eff. 1-1-19.)

14 (20 ILCS 301/20-5)

15 Sec. 20-5. Development of statewide prevention system.

16 (a) The Department shall develop and implement a
17 comprehensive, statewide, community-based strategy to reduce
18 substance use and gambling disorders and prevent the misuse of
19 illegal and legal drugs by persons of all ages, and to prevent
20 the use of alcohol by minors. The system created to implement
21 this strategy shall be based on the premise that coordination
22 among and integration between all community and governmental
23 systems will facilitate effective and efficient program
24 implementation and utilization of existing resources.

25 (b) The statewide system developed under this Section may

1 be adopted by administrative rule or funded as a grant award
2 condition and shall be responsible for:

3 (1) Providing programs and technical assistance to
4 improve the ability of Illinois communities and schools to
5 develop, implement, and evaluate prevention programs.

6 (2) Initiating and fostering continuing cooperation
7 among the Department, Department-funded prevention
8 programs, other community-based prevention providers, and
9 other State, regional, or local systems or agencies that
10 have an interest in substance use disorder prevention.

11 (c) In developing, implementing, and advocating for this
12 statewide strategy and system, the Department may engage in,
13 but shall not be limited to, the following activities:

14 (1) Establishing and conducting programs to provide
15 awareness and knowledge of the nature and extent of
16 substance use and gambling disorders and their effect on
17 individuals, families, and communities.

18 (2) Conducting or providing prevention skill building
19 or education through the use of structured experiences.

20 (3) Developing, supporting, and advocating with new
21 and existing local community coalitions or
22 neighborhood-based grassroots networks using action
23 planning and collaborative systems to initiate change
24 regarding substance use and gambling disorders in their
25 communities.

26 (4) Encouraging, supporting, and advocating for

1 programs and activities that emphasize alcohol-free and
2 other drug-free lifestyles.

3 (5) Drafting and implementing efficient plans for the
4 use of available resources to address issues of substance
5 use disorder prevention.

6 (6) Coordinating local programs of alcoholism and
7 other drug abuse education and prevention.

8 (7) Encouraging the development of local advisory
9 councils.

10 (d) In providing leadership to this system, the Department
11 shall take into account, wherever possible, the needs and
12 requirements of local communities. The Department shall also
13 involve, wherever possible, local communities in its statewide
14 planning efforts. These planning efforts shall include, but
15 shall not be limited to, in cooperation with local community
16 representatives and Department-funded agencies, the analysis
17 and application of results of local needs assessments, as well
18 as a process for the integration of an evaluation component
19 into the system. The results of this collaborative planning
20 effort shall be taken into account by the Department in making
21 decisions regarding the allocation of prevention resources.

22 (e) Prevention programs funded in whole or in part by the
23 Department shall maintain staff whose skills, training,
24 experiences, and cultural awareness demonstrably match the
25 needs of the people they are serving.

26 (f) The Department may delegate the functions and

1 activities described in subsection (c) of this Section to
2 local, community-based providers.

3 (Source: P.A. 100-759, eff. 1-1-19.)

4 (20 ILCS 301/25-5)

5 Sec. 25-5. Establishment of comprehensive treatment
6 system. The Department shall develop, fund and implement a
7 comprehensive, statewide, community-based system for the
8 provision of early intervention, treatment, and recovery
9 support services for persons suffering from substance use or
10 gambling disorders. The system created under this Section
11 shall be based on the premise that coordination among and
12 integration between all community and governmental systems
13 will facilitate effective and efficient program implementation
14 and utilization of existing resources.

15 (Source: P.A. 100-759, eff. 1-1-19.)

16 (20 ILCS 301/25-10)

17 Sec. 25-10. Promulgation of regulations. The Department
18 shall adopt regulations for licensure, certification for
19 Medicaid reimbursement, and to identify evidence-based best
20 practice criteria that can be utilized for intervention and
21 treatment services, taking into consideration available
22 resources and facilities, for the purpose of early and
23 effective treatment of substance use and gambling disorders.

24 (Source: P.A. 100-759, eff. 1-1-19.)

1 (20 ILCS 301/30-5)

2 Sec. 30-5. Patients' rights established.

3 (a) For purposes of this Section, "patient" means any
4 person who is receiving or has received early intervention,
5 treatment, or other recovery support services under this Act
6 or any category of service licensed as "intervention" under
7 this Act.

8 (b) No patient shall be deprived of any rights, benefits,
9 or privileges guaranteed by law, the Constitution of the
10 United States of America, or the Constitution of the State of
11 Illinois solely because of his or her status as a patient.

12 (c) Persons who have substance use or gambling disorders
13 who are also suffering from medical conditions shall not be
14 discriminated against in admission or treatment by any
15 hospital that receives support in any form supported in whole
16 or in part by funds appropriated to any State department or
17 agency.

18 (d) Every patient shall have impartial access to services
19 without regard to race, religion, sex, ethnicity, age, sexual
20 orientation, gender identity, marital status, or other
21 disability.

22 (e) Patients shall be permitted the free exercise of
23 religion.

24 (f) Every patient's personal dignity shall be recognized
25 in the provision of services, and a patient's personal privacy

1 shall be assured and protected within the constraints of his
2 or her individual treatment.

3 (g) Treatment services shall be provided in the least
4 restrictive environment possible.

5 (h) Each patient receiving treatment services shall be
6 provided an individual treatment plan, which shall be
7 periodically reviewed and updated as mandated by
8 administrative rule.

9 (i) Treatment shall be person-centered, meaning that every
10 patient shall be permitted to participate in the planning of
11 his or her total care and medical treatment to the extent that
12 his or her condition permits.

13 (j) A person shall not be denied treatment solely because
14 he or she has withdrawn from treatment against medical advice
15 on a prior occasion or had prior treatment episodes.

16 (k) The patient in residential treatment shall be
17 permitted visits by family and significant others, unless such
18 visits are clinically contraindicated.

19 (l) A patient in residential treatment shall be allowed to
20 conduct private telephone conversations with family and
21 friends unless clinically contraindicated.

22 (m) A patient in residential treatment shall be permitted
23 to send and receive mail without hindrance, unless clinically
24 contraindicated.

25 (n) A patient shall be permitted to manage his or her own
26 financial affairs unless the patient or the patient's

1 guardian, or if the patient is a minor, the patient's parent,
2 authorizes another competent person to do so.

3 (o) A patient shall be permitted to request the opinion of
4 a consultant at his or her own expense, or to request an
5 in-house review of a treatment plan, as provided in the
6 specific procedures of the provider. A treatment provider is
7 not liable for the negligence of any consultant.

8 (p) Unless otherwise prohibited by State or federal law,
9 every patient shall be permitted to obtain from his or her own
10 physician, the treatment provider, or the treatment provider's
11 consulting physician complete and current information
12 concerning the nature of care, procedures, and treatment that
13 he or she will receive.

14 (q) A patient shall be permitted to refuse to participate
15 in any experimental research or medical procedure without
16 compromising his or her access to other, non-experimental
17 services. Before a patient is placed in an experimental
18 research or medical procedure, the provider must first obtain
19 his or her informed written consent or otherwise comply with
20 the federal requirements regarding the protection of human
21 subjects contained in 45 CFR Part 46.

22 (r) All medical treatment and procedures shall be
23 administered as ordered by a physician and in accordance with
24 all Department rules.

25 (s) Every patient in treatment shall be permitted to
26 refuse medical treatment and to know the consequences of such

1 action. Such refusal by a patient shall free the treatment
2 licensee from the obligation to provide the treatment.

3 (t) Unless otherwise prohibited by State or federal law,
4 every patient, patient's guardian, or parent, if the patient
5 is a minor, shall be permitted to inspect and copy all clinical
6 and other records kept by the intervention or treatment
7 licensee or by his or her physician concerning his or her care
8 and maintenance. The licensee or physician may charge a
9 reasonable fee for the duplication of a record.

10 (u) No owner, licensee, administrator, employee, or agent
11 of a licensed intervention or treatment program shall abuse or
12 neglect a patient. It is the duty of any individual who becomes
13 aware of such abuse or neglect to report it to the Department
14 immediately.

15 (v) The licensee may refuse access to any person if the
16 actions of that person are or could be injurious to the health
17 and safety of a patient or the licensee, or if the person seeks
18 access for commercial purposes.

19 (w) All patients admitted to community-based treatment
20 facilities shall be considered voluntary treatment patients
21 and such patients shall not be contained within a locked
22 setting.

23 (x) Patients and their families or legal guardians shall
24 have the right to present complaints to the provider or the
25 Department concerning the quality of care provided to the
26 patient, without threat of discharge or reprisal in any form

1 or manner whatsoever. The complaint process and procedure
2 shall be adopted by the Department by rule. The treatment
3 provider shall have in place a mechanism for receiving and
4 responding to such complaints, and shall inform the patient
5 and the patient's family or legal guardian of this mechanism
6 and how to use it. The provider shall analyze any complaint
7 received and, when indicated, take appropriate corrective
8 action. Every patient and his or her family member or legal
9 guardian who makes a complaint shall receive a timely response
10 from the provider that substantively addresses the complaint.
11 The provider shall inform the patient and the patient's family
12 or legal guardian about other sources of assistance if the
13 provider has not resolved the complaint to the satisfaction of
14 the patient or the patient's family or legal guardian.

15 (y) A patient may refuse to perform labor at a program
16 unless such labor is a part of the patient's individual
17 treatment plan as documented in the patient's clinical record.

18 (z) A person who is in need of services may apply for
19 voluntary admission in the manner and with the rights provided
20 for under regulations promulgated by the Department. If a
21 person is refused admission, then staff, subject to rules
22 promulgated by the Department, shall refer the person to
23 another facility or to other appropriate services.

24 (aa) No patient shall be denied services based solely on
25 HIV status. Further, records and information governed by the
26 AIDS Confidentiality Act and the AIDS Confidentiality and

1 Testing Code (77 Ill. Adm. Code 697) shall be maintained in
2 accordance therewith.

3 (bb) Records of the identity, diagnosis, prognosis, or
4 treatment of any patient maintained in connection with the
5 performance of any service or activity relating to substance
6 use or gambling disorder education, early intervention,
7 intervention, training, or treatment that is regulated,
8 authorized, or directly or indirectly assisted by any
9 Department or agency of this State or under any provision of
10 this Act shall be confidential and may be disclosed only in
11 accordance with the provisions of federal law and regulations
12 concerning the confidentiality of substance use disorder
13 patient records as contained in 42 U.S.C. Sections 290dd-2 and
14 42 CFR Part 2, or any successor federal statute or regulation.

15 (1) The following are exempt from the confidentiality
16 protections set forth in 42 CFR Section 2.12(c):

17 (A) Veteran's Administration records.

18 (B) Information obtained by the Armed Forces.

19 (C) Information given to qualified service
20 organizations.

21 (D) Communications within a program or between a
22 program and an entity having direct administrative
23 control over that program.

24 (E) Information given to law enforcement personnel
25 investigating a patient's commission of a crime on the
26 program premises or against program personnel.

1 (F) Reports under State law of incidents of
2 suspected child abuse and neglect; however,
3 confidentiality restrictions continue to apply to the
4 records and any follow-up information for disclosure
5 and use in civil or criminal proceedings arising from
6 the report of suspected abuse or neglect.

7 (2) If the information is not exempt, a disclosure can
8 be made only under the following circumstances:

9 (A) With patient consent as set forth in 42 CFR
10 Sections 2.1(b)(1) and 2.31, and as consistent with
11 pertinent State law.

12 (B) For medical emergencies as set forth in 42 CFR
13 Sections 2.1(b)(2) and 2.51.

14 (C) For research activities as set forth in 42 CFR
15 Sections 2.1(b)(2) and 2.52.

16 (D) For audit evaluation activities as set forth
17 in 42 CFR Section 2.53.

18 (E) With a court order as set forth in 42 CFR
19 Sections 2.61 through 2.67.

20 (3) The restrictions on disclosure and use of patient
21 information apply whether the holder of the information
22 already has it, has other means of obtaining it, is a law
23 enforcement or other official, has obtained a subpoena, or
24 asserts any other justification for a disclosure or use
25 that is not permitted by 42 CFR Part 2. Any court orders
26 authorizing disclosure of patient records under this Act

1 must comply with the procedures and criteria set forth in
2 42 CFR Sections 2.64 and 2.65. Except as authorized by a
3 court order granted under this Section, no record referred
4 to in this Section may be used to initiate or substantiate
5 any charges against a patient or to conduct any
6 investigation of a patient.

7 (4) The prohibitions of this subsection shall apply to
8 records concerning any person who has been a patient,
9 regardless of whether or when the person ceases to be a
10 patient.

11 (5) Any person who discloses the content of any record
12 referred to in this Section except as authorized shall,
13 upon conviction, be guilty of a Class A misdemeanor.

14 (6) The Department shall prescribe regulations to
15 carry out the purposes of this subsection. These
16 regulations may contain such definitions, and may provide
17 for such safeguards and procedures, including procedures
18 and criteria for the issuance and scope of court orders,
19 as in the judgment of the Department are necessary or
20 proper to effectuate the purposes of this Section, to
21 prevent circumvention or evasion thereof, or to facilitate
22 compliance therewith.

23 (cc) Each patient shall be given a written explanation of
24 all the rights enumerated in this Section and a copy, signed by
25 the patient, shall be kept in every patient record. If a
26 patient is unable to read such written explanation, it shall

1 be read to the patient in a language that the patient
2 understands. A copy of all the rights enumerated in this
3 Section shall be posted in a conspicuous place within the
4 program where it may readily be seen and read by program
5 patients and visitors.

6 (dd) The program shall ensure that its staff is familiar
7 with and observes the rights and responsibilities enumerated
8 in this Section.

9 (ee) Licensed organizations shall comply with the right of
10 any adolescent to consent to treatment without approval of the
11 parent or legal guardian in accordance with the Consent by
12 Minors to Health Care Services Act.

13 (ff) At the point of admission for services, licensed
14 organizations must obtain written informed consent, as defined
15 in Section 1-10 and in administrative rule, from each client,
16 patient, or legal guardian.

17 (Source: P.A. 102-813, eff. 5-13-22.)

18 (20 ILCS 301/35-5)

19 Sec. 35-5. Services for pregnant women and mothers.

20 (a) In order to promote a comprehensive, statewide, and and
21 multidisciplinary approach to serving pregnant women and
22 mothers, including those who are minors, and their children
23 who are affected by substance use or gambling disorders, the
24 Department shall have responsibility for an ongoing exchange
25 of referral information among the following:

1 (1) those who provide medical and social services to
2 pregnant women, mothers and their children, whether or not
3 there exists evidence of a substance use or gambling
4 disorder. These include any other State-funded medical or
5 social services to pregnant women.

6 (2) providers of treatment services to women affected
7 by substance use or gambling disorders.

8 (b) (Blank).

9 (c) (Blank).

10 (d) (Blank).

11 (e) (Blank).

12 (f) The Department shall develop and maintain an updated
13 and comprehensive directory of licensed providers that deliver
14 treatment and intervention services. The Department shall post
15 on its website a licensed provider directory updated at least
16 quarterly.

17 (g) As a condition of any State grant or contract, the
18 Department shall require that any treatment program for women
19 with substance use or gambling disorders provide services,
20 either by its own staff or by agreement with other agencies or
21 individuals, which include but need not be limited to the
22 following:

23 (1) coordination with any program providing case
24 management services to ensure ongoing monitoring and
25 coordination of services after the addicted woman has
26 returned home.

1 (2) coordination with medical services for individual
2 medical care of pregnant women, including prenatal care
3 under the supervision of a physician.

4 (3) coordination with child care services.

5 (h) As a condition of any State grant or contract, the
6 Department shall require that any nonresidential program
7 receiving any funding for treatment services accept women who
8 are pregnant, provided that such services are clinically
9 appropriate. Failure to comply with this subsection shall
10 result in termination of the grant or contract and loss of
11 State funding.

12 (i)(1) From funds appropriated expressly for the purposes
13 of this Section, the Department shall create or contract with
14 licensed, certified agencies to develop a program for the care
15 and treatment of pregnant women, mothers, and their children.
16 The program shall be in Cook County in an area of high density
17 population having a disproportionate number of women with
18 substance use and other disorders and a high infant mortality
19 rate.

20 (2) From funds appropriated expressly for the purposes of
21 this Section, the Department shall create or contract with
22 licensed, certified agencies to develop a program for the care
23 and treatment of low income pregnant women. The program shall
24 be located anywhere in the State outside of Cook County in an
25 area of high density population having a disproportionate
26 number of low income pregnant women.

1 (3) In implementing the programs established under this
2 subsection, the Department shall contract with existing
3 residential treatment or recovery homes in areas having a
4 disproportionate number of women with substance use and other
5 disorders who need residential treatment. Priority shall be
6 given to women who:

7 (A) are pregnant, especially if they are intravenous
8 drug users,

9 (B) have minor children,

10 (C) are both pregnant and have minor children, or

11 (D) are referred by medical personnel because they
12 either have given birth to a baby with a substance use
13 disorder, or will give birth to a baby with a substance use
14 disorder.

15 (4) The services provided by the programs shall include
16 but not be limited to:

17 (A) individual medical care, including prenatal care,
18 under the supervision of a physician.

19 (B) temporary, residential shelter for pregnant women,
20 mothers, and children when necessary.

21 (C) a range of educational or counseling services.

22 (D) comprehensive and coordinated social services,
23 including therapy groups for the treatment of substance
24 use disorders; family therapy groups; programs to develop
25 positive self-awareness; parent-child therapy; and
26 residential support groups.

1 (5) (Blank).

2 (Source: P.A. 100-759, eff. 1-1-19.)

3 (20 ILCS 301/35-10)

4 Sec. 35-10. Adolescent Family Life Program.

5 (a) The General Assembly finds and declares the following:

6 (1) In Illinois, a substantial number of babies are
7 born each year to adolescent mothers between 12 and 19
8 years of age.

9 (2) A substantial percentage of pregnant adolescents
10 have substance use disorders or live in environments in
11 which substance use disorders occur and thus are at risk
12 of exposing their infants to dangerous and harmful
13 circumstances.

14 (3) It is difficult to provide substance use disorder
15 counseling for adolescents in settings designed to serve
16 adults.

17 (b) To address the findings set forth in subsection (a),
18 and subject to appropriation, the Department may establish and
19 fund treatment strategies to meet the developmental, social,
20 and educational needs of high-risk pregnant adolescents and
21 shall do the following:

22 (1) To the maximum extent feasible and appropriate,
23 utilize existing services and funding rather than create
24 new, duplicative services.

25 (2) Include plans for coordination and collaboration

1 with existing perinatal substance use disorder services.

2 (3) Include goals and objectives for reducing the
3 incidence of high-risk pregnant adolescents.

4 (4) Be culturally and linguistically appropriate to
5 the population being served.

6 (5) Include staff development training by substance
7 use and other disorder counselors.

8 As used in this Section, "high-risk pregnant adolescent"
9 means a person at least 12 but not more than 18 years of age
10 with a substance use or other disorder who is pregnant.

11 (c) (Blank).

12 (Source: P.A. 100-759, eff. 1-1-19.)

13 (20 ILCS 301/50-40)

14 Sec. 50-40. Group Home Loan Revolving Fund.

15 (a) There is hereby established the Group Home Loan
16 Revolving Fund, referred to in this Section as the "fund", to
17 be held as a separate fund within the State Treasury. Monies in
18 this fund shall be appropriated to the Department on a
19 continuing annual basis. With these funds, the Department
20 shall, directly or through subcontract, make loans to assist
21 in underwriting the costs of housing in which there may reside
22 individuals who are recovering from substance use or gambling
23 disorders, and who are seeking an alcohol-free, gambling-free,
24 or drug-free environment in which to live. Consistent with
25 federal law and regulation, the Department may establish

1 guidelines for approving the use and management of monies
2 loaned from the fund, the operation of group homes receiving
3 loans under this Section and the repayment of monies loaned.

4 (b) There shall be deposited into the fund such amounts,l
5 including, but not limited to:

6 (1) All receipts, including principal and interest
7 payments and royalties, from any applicable loan agreement
8 made from the fund.

9 (2) All proceeds of assets of whatever nature received
10 by the Department as a result of default or delinquency
11 with respect to loan agreements made from the fund,
12 including proceeds from the sale, disposal, lease,l or
13 rental of real or personal property that the Department
14 may receive as a result thereof.

15 (3) Any direct appropriations made by the General
16 Assembly, or any gifts or grants made by any person to the
17 fund.

18 (4) Any income received from interest on investments
19 of monies in the fund.

20 (c) The Treasurer may invest monies in the fund in
21 securities constituting obligations of the United States
22 government, or in obligations the principal of and interest on
23 which are guaranteed by the United States government, or in
24 certificates of deposit of any State or national bank which
25 are fully secured by obligations guaranteed as to principal
26 and interest by the United States government.

1 (Source: P.A. 100-759, eff. 1-1-19.)

2 (20 ILCS 301/55-30)

3 Sec. 55-30. Rate increase.

4 (a) The Department shall by rule develop the increased
5 rate methodology and annualize the increased rate beginning
6 with State fiscal year 2018 contracts to licensed providers of
7 community-based substance use and gambling disorders ~~disorder~~
8 intervention or treatment, based on the additional amounts
9 appropriated for the purpose of providing a rate increase to
10 licensed providers. The Department shall adopt rules,
11 including emergency rules under subsection (y) of Section 5-45
12 of the Illinois Administrative Procedure Act, to implement the
13 provisions of this Section.

14 (b) (Blank).

15 (c) Beginning on July 1, 2022, the Division of Substance
16 Use Prevention and Recovery shall increase reimbursement rates
17 for all community-based substance use disorder treatment and
18 intervention services by 47%, including, but not limited to,
19 all of the following:

20 (1) Admission and Discharge Assessment.

21 (2) Level 1 (Individual).

22 (3) Level 1 (Group).

23 (4) Level 2 (Individual).

24 (5) Level 2 (Group).

25 (6) Case Management.

- 1 (7) Psychiatric Evaluation.
- 2 (8) Medication Assisted Recovery.
- 3 (9) Community Intervention.
- 4 (10) Early Intervention (Individual).
- 5 (11) Early Intervention (Group).

6 Beginning in State Fiscal Year 2023, and every State
7 fiscal year thereafter, reimbursement rates for those
8 community-based substance use disorder treatment and
9 intervention services shall be adjusted upward by an amount
10 equal to the Consumer Price Index-U from the previous year,
11 not to exceed 2% in any State fiscal year. If there is a
12 decrease in the Consumer Price Index-U, rates shall remain
13 unchanged for that State fiscal year. The Department shall
14 adopt rules, including emergency rules in accordance with the
15 Illinois Administrative Procedure Act, to implement the
16 provisions of this Section.

17 As used in this subsection, "consumer price index-u" means
18 the index published by the Bureau of Labor Statistics of the
19 United States Department of Labor that measures the average
20 change in prices of goods and services purchased by all urban
21 consumers, United States city average, all items, 1982-84 =
22 100.

23 (d) Beginning on January 1, 2024, subject to federal
24 approval, the Division of Substance Use Prevention and
25 Recovery shall increase reimbursement rates for all ASAM level
26 3 residential/inpatient substance use disorder treatment and

1 intervention services by 30%, including, but not limited to,
2 the following services:

3 (1) ASAM level 3.5 Clinically Managed High-Intensity
4 Residential Services for adults;

5 (2) ASAM level 3.5 Clinically Managed Medium-Intensity
6 Residential Services for adolescents;

7 (3) ASAM level 3.2 Clinically Managed Residential
8 Withdrawal Management;

9 (4) ASAM level 3.7 Medically Monitored Intensive
10 Inpatient Services for adults and Medically Monitored
11 High-Intensity Inpatient Services for adolescents; and

12 (5) ASAM level 3.1 Clinically Managed Low-Intensity
13 Residential Services for adults and adolescents.

14 (Source: P.A. 102-699, eff. 4-19-22; 103-102, eff. 6-16-23.)

15 (20 ILCS 301/55-40)

16 Sec. 55-40. Recovery residences.

17 (a) As used in this Section, "recovery residence" means a
18 sober, safe, and healthy living environment that promotes
19 recovery from alcohol and other drug use and associated
20 problems. These residences are not subject to Department
21 licensure as they are viewed as independent living residences
22 that only provide peer support and a lengthened exposure to
23 the culture of recovery.

24 (b) The Department shall develop and maintain an online
25 registry for recovery residences that operate in Illinois to

1 serve as a resource for individuals seeking continued recovery
2 assistance.

3 (c) Non-licensable recovery residences are encouraged to
4 register with the Department and the registry shall be
5 publicly available through online posting.

6 (d) The registry shall indicate any accreditation,
7 certification, or licensure that each recovery residence has
8 received from an entity that has developed uniform national
9 standards. The registry shall also indicate each recovery
10 residence's location in order to assist providers and
11 individuals in finding alcohol, gambling, and drug free
12 housing options with like-minded residents who are committed
13 to alcohol, gambling, and drug free living.

14 (e) Registrants are encouraged to seek national
15 accreditation from any entity that has developed uniform State
16 or national standards for recovery residences.

17 (f) The Department shall include a disclaimer on the
18 registry that states that the recovery residences are not
19 regulated by the Department and their listing is provided as a
20 resource but not as an endorsement by the State.

21 (Source: P.A. 100-1062, eff. 1-1-19; 101-81, eff. 7-12-19.)

22 Section 30. The Illinois Lottery Law is amended by
23 changing Sections 7.1, 9.1, 10.1, 10.6, 19, 20, 20.1, 24, and
24 27 as follows:

1 (20 ILCS 1605/7.1) (from Ch. 120, par. 1157.1)

2 Sec. 7.1. Department rules. The Department shall
3 promulgate such rules and regulations governing the
4 establishment and operation of a State lottery as it deems
5 necessary to carry out the purposes of this Act. Such rules and
6 regulations shall be subject to the provisions of the ~~the~~
7 Illinois Administrative Procedure Act. The Department shall
8 issue written game rules, play instructions, directives,
9 operations manuals, brochures, or any other publications
10 necessary to conduct specific games, as authorized by rule by
11 the Department. Any written game rules, play instructions,
12 directives, operations manuals, brochures, or other game
13 publications issued by the Department that relate to a
14 specific lottery game shall be maintained as a public record
15 in the Department's principal office, and made available for
16 public inspection and copying but shall be exempt from the
17 rulemaking procedures of the Illinois Administrative Procedure
18 Act. However, when such written materials contain any policy
19 of general applicability, the Department shall formulate and
20 adopt such policy as a rule in accordance with the provisions
21 of the Illinois Administrative Procedure Act. ~~In addition, the~~
22 ~~Department shall publish each January in the Illinois Register~~
23 ~~a list of all game-specific rules, play instructions,~~
24 ~~directives, operations manuals, brochures, or other~~
25 ~~game-specific publications issued by the Department during the~~
26 ~~previous year and instructions concerning how the public may~~

1 ~~obtain copies of these materials from the Department.~~

2 (Source: P.A. 97-464, eff. 10-15-11.)

3 (20 ILCS 1605/9.1)

4 Sec. 9.1. Private manager and management agreement.

5 (a) As used in this Section:

6 "Offeror" means a person or group of persons that responds
7 to a request for qualifications under this Section.

8 "Request for qualifications" means all materials and
9 documents prepared by the Department to solicit the following
10 from offerors:

11 (1) Statements of qualifications.

12 (2) Proposals to enter into a management agreement,
13 including the identity of any prospective vendor or
14 vendors that the offeror intends to initially engage to
15 assist the offeror in performing its obligations under the
16 management agreement.

17 "Final offer" means the last proposal submitted by an
18 offeror in response to the request for qualifications,
19 including the identity of any prospective vendor or vendors
20 that the offeror intends to initially engage to assist the
21 offeror in performing its obligations under the management
22 agreement.

23 "Final offeror" means the offeror ultimately selected by
24 the Governor to be the private manager for the Lottery under
25 subsection (h) of this Section.

1 (b) (Blank). ~~By September 15, 2010, the Governor shall~~
2 ~~select a private manager for the total management of the~~
3 ~~Lottery with integrated functions, such as lottery game~~
4 ~~design, supply of goods and services, and advertising and as~~
5 ~~specified in this Section.~~

6 (c) (Blank). ~~Pursuant to the terms of this subsection, the~~
7 ~~Department shall endeavor to expeditiously terminate the~~
8 ~~existing contracts in support of the Lottery in effect on July~~
9 ~~13, 2009 (the effective date of Public Act 96-37) in~~
10 ~~connection with the selection of the private manager. As part~~
11 ~~of its obligation to terminate these contracts and select the~~
12 ~~private manager, the Department shall establish a mutually~~
13 ~~agreeable timetable to transfer the functions of existing~~
14 ~~contractors to the private manager so that existing Lottery~~
15 ~~operations are not materially diminished or impaired during~~
16 ~~the transition. To that end, the Department shall do the~~
17 ~~following:~~

18 ~~(1) where such contracts contain a provision~~
19 ~~authorizing termination upon notice, the Department shall~~
20 ~~provide notice of termination to occur upon the mutually~~
21 ~~agreed timetable for transfer of functions;~~

22 ~~(2) upon the expiration of any initial term or renewal~~
23 ~~term of the current Lottery contracts, the Department~~
24 ~~shall not renew such contract for a term extending beyond~~
25 ~~the mutually agreed timetable for transfer of functions;~~

26 ~~or~~

1 ~~(3) in the event any current contract provides for~~
2 ~~termination of that contract upon the implementation of a~~
3 ~~contract with the private manager, the Department shall~~
4 ~~perform all necessary actions to terminate the contract on~~
5 ~~the date that coincides with the mutually agreed timetable~~
6 ~~for transfer of functions.~~

7 ~~If the contracts to support the current operation of the~~
8 ~~Lottery in effect on July 13, 2009 (the effective date of~~
9 ~~Public Act 96-34) are not subject to termination as provided~~
10 ~~for in this subsection (c), then the Department may include a~~
11 ~~provision in the contract with the private manager specifying~~
12 ~~a mutually agreeable methodology for incorporation.~~

13 (c-5) The Department shall include provisions in the
14 management agreement whereby the private manager shall, for a
15 fee, and pursuant to a contract negotiated with the Department
16 (the "Employee Use Contract"), utilize the services of current
17 Department employees to assist in the administration and
18 operation of the Lottery. The Department shall be the employer
19 of all such bargaining unit employees assigned to perform such
20 work for the private manager, and such employees shall be
21 State employees, as defined by the Personnel Code. Department
22 employees shall operate under the same employment policies,
23 rules, regulations, and procedures, as other employees of the
24 Department. In addition, neither historical representation
25 rights under the Illinois Public Labor Relations Act, nor
26 existing collective bargaining agreements, shall be disturbed

1 by the management agreement with the private manager for the
2 management of the Lottery.

3 (d) The management agreement with the private manager
4 shall include all of the following:

5 (1) A term not to exceed 10 years, including any
6 renewals.

7 (2) A provision specifying that the Department:

8 (A) shall exercise actual control over all
9 significant business decisions;

10 (A-5) has the authority to direct or countermand
11 operating decisions by the private manager at any
12 time;

13 (B) has ready access at any time to information
14 regarding Lottery operations;

15 (C) has the right to demand and receive
16 information from the private manager concerning any
17 aspect of the Lottery operations at any time; and

18 (D) retains ownership of all trade names,
19 trademarks, and intellectual property associated with
20 the Lottery.

21 (3) A provision imposing an affirmative duty on the
22 private manager to provide the Department with material
23 information and with any information the private manager
24 reasonably believes the Department would want to know to
25 enable the Department to conduct the Lottery.

26 (4) A provision requiring the private manager to

1 provide the Department with advance notice of any
2 operating decision that bears significantly on the public
3 interest, including, but not limited to, decisions on the
4 kinds of games to be offered to the public and decisions
5 affecting the relative risk and reward of the games being
6 offered, so the Department has a reasonable opportunity to
7 evaluate and countermand that decision.

8 (5) A provision providing for compensation of the
9 private manager ~~that may consist of, among other things, a~~
10 ~~fee for services and a performance based bonus as~~
11 ~~consideration for managing the Lottery, including terms~~
12 ~~that may provide the private manager with an increase in~~
13 ~~compensation if Lottery revenues grow by a specified~~
14 ~~percentage in a given year.~~

15 (6) (Blank).

16 (7) A provision requiring the deposit of all Lottery
17 proceeds to be deposited into the State Lottery Fund
18 except as otherwise provided in Section 20 of this Act.

19 (8) A provision requiring the private manager to
20 locate its principal office within the State.

21 (8-5) A provision encouraging that, pursuant to
22 Section 4 of the Business Enterprise for Minorities,
23 Women, and Persons with Disabilities Act, ~~at least 20% of~~
24 ~~the cost of~~ contracts entered into for goods and services
25 by the private manager in connection with its management
26 of the Lottery, other than contracts with sales agents or

1 technical advisors, be awarded to businesses that are a
2 minority-owned business, a women-owned business, or a
3 business owned by a person with disability, as those terms
4 are defined in the Business Enterprise for Minorities,
5 Women, and Persons with Disabilities Act.

6 (9) A requirement that so long as the private manager
7 complies with all the conditions of the agreement under
8 the oversight of the Department, the private manager shall
9 have the following duties and obligations with respect to
10 the management of the Lottery:

11 (A) The right to use equipment and other assets
12 used in the operation of the Lottery.

13 (B) The rights and obligations under contracts
14 with retailers and vendors.

15 (C) The implementation of a comprehensive security
16 program by the private manager.

17 (D) The implementation of a comprehensive system
18 of internal audits.

19 (E) The implementation of a program by the private
20 manager to curb compulsive gambling by persons playing
21 the Lottery.

22 (F) A system for determining (i) the type of
23 Lottery games, (ii) the method of selecting winning
24 tickets, (iii) the manner of payment of prizes to
25 holders of winning tickets, (iv) the frequency of
26 drawings of winning tickets, (v) the method to be used

1 in selling tickets, (vi) a system for verifying the
2 validity of tickets claimed to be winning tickets,
3 (vii) the basis upon which retailer commissions are
4 established by the manager, and (viii) minimum
5 payouts.

6 (10) A requirement that advertising and promotion must
7 be consistent with Section 7.8a of this Act.

8 (11) A requirement that the private manager market the
9 Lottery to those residents who are new, infrequent, or
10 lapsed players of the Lottery, especially those who are
11 most likely to make regular purchases on the Internet as
12 permitted by law.

13 (12) A code of ethics for the private manager's
14 officers and employees.

15 (13) A requirement that the Department monitor and
16 oversee the private manager's practices and take action
17 that the Department considers appropriate to ensure that
18 the private manager is in compliance with the terms of the
19 management agreement, while allowing the manager, unless
20 specifically prohibited by law or the management
21 agreement, to negotiate and sign its own contracts with
22 vendors.

23 (14) A provision requiring the private manager to
24 periodically file, at least on an annual basis,
25 appropriate financial statements in a form and manner
26 acceptable to the Department.

1 (15) Cash reserves requirements.

2 (16) Procedural requirements for obtaining the prior
3 approval of the Department when a management agreement or
4 an interest in a management agreement is sold, assigned,
5 transferred, or pledged as collateral to secure financing.

6 (17) Grounds for the termination of the management
7 agreement by the Department or the private manager.

8 (18) Procedures for amendment of the agreement.

9 (19) A provision requiring the private manager to
10 engage in an open and competitive bidding process for any
11 procurement having a cost in excess of the small purchase
12 limits under Section 20-20 of the Illinois Procurement
13 Code \$50,000 that is not a part of the private manager's
14 final offer. The process shall favor the selection of a
15 vendor deemed to have submitted a proposal that provides
16 the Lottery with the best overall value. The process shall
17 not be subject to the provisions of the Illinois
18 Procurement Code, unless specifically required by the
19 management agreement.

20 (20) The transition of rights and obligations,
21 including any associated equipment or other assets used in
22 the operation of the Lottery, from the manager to any
23 successor manager of the Lottery ~~lottery~~, including the
24 Department, following the termination of or foreclosure
25 upon the management agreement.

26 (21) Right of use of copyrights, trademarks, and

1 service marks held by the Department in the name of the
2 State. The agreement must provide that any use of them by
3 the manager shall only be for the purpose of fulfilling
4 its obligations under the management agreement during the
5 term of the agreement.

6 (22) The disclosure of any information requested by
7 the Department to enable it to comply with the reporting
8 requirements and information requests provided for under
9 subsection (p) of this Section.

10 (e) Notwithstanding any other law to the contrary, the
11 Department shall select a private manager through a
12 competitive request for qualifications process consistent with
13 Section 20-35 of the Illinois Procurement Code, which shall
14 take into account:

15 (1) the offeror's ability to market the Lottery to
16 those residents who are new, infrequent, or lapsed players
17 of the Lottery, especially those who are most likely to
18 make regular purchases on the Internet;

19 (2) the offeror's ability to address the State's
20 concern with the social effects of gambling on those who
21 can least afford to do so;

22 (3) the offeror's ability to provide the most
23 successful management of the Lottery for the benefit of
24 the people of the State based on current and past business
25 practices or plans of the offeror; and

26 (4) the offeror's poor or inadequate past performance

1 in servicing, equipping, operating or managing a lottery
2 on behalf of Illinois, another state, ~~State~~ or a foreign
3 government and attracting persons who are not currently
4 regular players of a lottery.

5 (f) The Department may retain the services of an advisor
6 or advisors with significant experience in financial services
7 or the management, operation, and procurement of goods,
8 services, and equipment for a government-run lottery to assist
9 in the preparation of the terms of the request for
10 qualifications and selection of the private manager. Any
11 prospective advisor seeking to provide services under this
12 subsection (f) shall disclose any material business or
13 financial relationship during the past 3 years with any
14 potential offeror, or with a contractor or subcontractor
15 presently providing goods, services, or equipment to the
16 Department to support the Lottery. The Department shall
17 evaluate the material business or financial relationship of
18 each prospective advisor. The Department shall not select any
19 prospective advisor with a substantial business or financial
20 relationship that the Department deems to impair the
21 objectivity of the services to be provided by the prospective
22 advisor. During the course of the advisor's engagement by the
23 Department, and for a period of one year thereafter, the
24 advisor shall not enter into any business or financial
25 relationship with any offeror or any vendor identified to
26 assist an offeror in performing its obligations under the

1 management agreement. Any advisor retained by the Department
2 shall be disqualified from being an offeror. The Department
3 shall not include terms in the request for qualifications that
4 provide a material advantage whether directly or indirectly to
5 any potential offeror, or any contractor or subcontractor
6 presently providing goods, services, or equipment to the
7 Department to support the Lottery, including terms contained
8 in previous responses to requests for proposals or
9 qualifications submitted to Illinois, another state, ~~State~~ or
10 a foreign government when those terms are uniquely associated
11 with a particular potential offeror, contractor, or
12 subcontractor. ~~The request for proposals offered by the~~
13 ~~Department on December 22, 2008 as "LOT08GAMESYS" and~~
14 ~~reference number "22016176" is declared void.~~

15 (g) ~~The Department shall select at least 2 offerors as~~
16 ~~finalists to potentially serve as the private manager no later~~
17 ~~than August 9, 2010.~~ Upon making preliminary selections, the
18 Department shall schedule a public hearing on the finalists'
19 proposals and provide public notice of the hearing at least 7
20 calendar days before the hearing. The notice must include all
21 of the following:

22 (1) The date, time, and place of the hearing.

23 (2) The subject matter of the hearing.

24 (3) A brief description of the management agreement to
25 be awarded.

26 (4) The identity of the offerors that have been

1 selected as finalists to serve as the private manager.

2 (5) The address and telephone number of the
3 Department.

4 (h) At the public hearing, the Department shall (i)
5 provide sufficient time for each finalist to present and
6 explain its proposal to the Department and the Governor or the
7 Governor's designee, including an opportunity to respond to
8 questions posed by the Department, Governor, or designee and
9 (ii) allow the public and non-selected offerors to comment on
10 the presentations. The Governor or a designee shall attend the
11 public hearing. After the public hearing, the Department shall
12 have 14 calendar days to recommend to the Governor whether a
13 management agreement should be entered into with a particular
14 finalist. After reviewing the Department's recommendation, the
15 Governor may accept or reject the Department's recommendation,
16 and shall select a final offeror as the private manager by
17 publication of a notice in the Illinois Procurement Bulletin
18 ~~on or before September 15, 2010~~. The Governor shall include in
19 the notice a detailed explanation and the reasons why the
20 final offeror is superior to other offerors and will provide
21 management services in a manner that best achieves the
22 objectives of this Section. The Governor shall also sign the
23 management agreement with the private manager.

24 (i) Any action to contest the private manager selected by
25 the Governor under this Section must be brought within 7
26 calendar days after the publication of the notice of the

1 designation of the private manager as provided in subsection
2 (h) of this Section.

3 (j) The Lottery shall remain, for so long as a private
4 manager manages the Lottery in accordance with provisions of
5 this Act, a Lottery conducted by the State, and the State shall
6 not be authorized to sell or transfer the Lottery to a third
7 party.

8 (k) Any tangible personal property used exclusively in
9 connection with the lottery that is owned by the Department
10 and leased to the private manager shall be owned by the
11 Department in the name of the State and shall be considered to
12 be public property devoted to an essential public and
13 governmental function.

14 (l) The Department may exercise any of its powers under
15 this Section or any other law as necessary or desirable for the
16 execution of the Department's powers under this Section.

17 (m) Neither this Section nor any management agreement
18 entered into under this Section prohibits the General Assembly
19 from authorizing forms of gambling that are not in direct
20 competition with the Lottery. The forms of gambling authorized
21 by Public Act 101-31 constitute authorized forms of gambling
22 that are not in direct competition with the Lottery.

23 (n) The private manager shall be subject to a complete
24 investigation in the third, seventh, and tenth years of the
25 agreement (if the agreement is for a 10-year term) by the
26 Department in cooperation with the Auditor General to

1 determine whether the private manager has complied with this
2 Section and the management agreement. The private manager
3 shall bear the cost of an investigation or reinvestigation of
4 the private manager under this subsection.

5 (o) The powers conferred by this Section are in addition
6 and supplemental to the powers conferred by any other law. If
7 any other law or rule is inconsistent with this Section,
8 including, but not limited to, provisions of the Illinois
9 Procurement Code, then this Section controls as to any
10 management agreement entered into under this Section. This
11 Section and any rules adopted under this Section contain full
12 and complete authority for a management agreement between the
13 Department and a private manager. No law, procedure,
14 proceeding, publication, notice, consent, approval, order, or
15 act by the Department or any other officer, Department,
16 agency, or instrumentality of the State or any political
17 subdivision is required for the Department to enter into a
18 management agreement under this Section. This Section contains
19 full and complete authority for the Department to approve any
20 contracts entered into by a private manager with a vendor
21 providing goods, services, or both goods and services to the
22 private manager under the terms of the management agreement,
23 including subcontractors of such vendors.

24 Upon receipt of a written request from the Chief
25 Procurement Officer, the Department shall provide to the Chief
26 Procurement Officer a complete and un-redacted copy of the

1 management agreement or any contract that is subject to the
2 Department's approval authority under this subsection (o). The
3 Department shall provide a copy of the agreement or contract
4 to the Chief Procurement Officer in the time specified by the
5 Chief Procurement Officer in his or her written request, but
6 no later than 5 business days after the request is received by
7 the Department. The Chief Procurement Officer must retain any
8 portions of the management agreement or of any contract
9 designated by the Department as confidential, proprietary, or
10 trade secret information in complete confidence pursuant to
11 subsection (g) of Section 7 of the Freedom of Information Act.
12 The Department shall also provide the Chief Procurement
13 Officer with reasonable advance written notice of any contract
14 that is pending Department approval.

15 Notwithstanding any other provision of this Section to the
16 contrary, the Chief Procurement Officer shall adopt
17 administrative rules, including emergency rules, to establish
18 a procurement process to select a successor private manager if
19 a private management agreement has been terminated. The
20 selection process shall at a minimum take into account the
21 criteria set forth in items (1) through (4) of subsection (e)
22 of this Section and may include provisions consistent with
23 subsections (f), (g), (h), and (i) of this Section. The Chief
24 Procurement Officer shall also implement and administer the
25 adopted selection process upon the termination of a private
26 management agreement. The Department, after the Chief

1 Procurement Officer certifies that the procurement process has
2 been followed in accordance with the rules adopted under this
3 subsection (o), shall select a final offeror as the private
4 manager and sign the management agreement with the private
5 manager.

6 Through June 30, 2022, except as provided in Sections
7 21.5, 21.6, 21.7, 21.8, 21.9, 21.10, 21.11, 21.12, and 21.13
8 of this Act and Section 25-70 of the Sports Wagering Act, the
9 Department shall distribute all proceeds of lottery tickets
10 and shares sold in the following priority and manner:

11 (1) The payment of prizes and retailer bonuses.

12 (2) The payment of costs incurred in the operation and
13 administration of the Lottery, including the payment of
14 sums due to the private manager under the management
15 agreement with the Department.

16 (3) On the last day of each month or as soon thereafter
17 as possible, the State Comptroller shall direct and the
18 State Treasurer shall transfer from the State Lottery Fund
19 to the Common School Fund an amount that is equal to the
20 proceeds transferred in the corresponding month of fiscal
21 year 2009, as adjusted for inflation, to the Common School
22 Fund.

23 (4) On or before September 30 of each fiscal year,
24 deposit any estimated remaining proceeds from the prior
25 fiscal year, subject to payments under items (1), (2), and
26 (3), into the Capital Projects Fund. Beginning in fiscal

1 year 2019, the amount deposited shall be increased or
2 decreased each year by the amount the estimated payment
3 differs from the amount determined from each year-end
4 financial audit. Only remaining net deficits from prior
5 fiscal years may reduce the requirement to deposit these
6 funds, as determined by the annual financial audit.

7 Beginning July 1, 2022, the Department shall distribute
8 all proceeds of lottery tickets and shares sold in the manner
9 and priority described in Section 9.3 of this Act, except that
10 the Department shall make the deposit into the Capital
11 Projects Fund that would have occurred under item (4) of this
12 subsection (o) on or before September 30, 2022, but for the
13 changes made to this subsection by Public Act 102-699.

14 (p) The Department shall be subject to the following
15 reporting and information request requirements:

16 (1) the Department shall submit written quarterly
17 reports to the Governor and the General Assembly on the
18 activities and actions of the private manager selected
19 under this Section;

20 (2) upon request of the Chief Procurement Officer, the
21 Department shall promptly produce information related to
22 the procurement activities of the Department and the
23 private manager requested by the Chief Procurement
24 Officer; the Chief Procurement Officer must retain
25 confidential, proprietary, or trade secret information
26 designated by the Department in complete confidence

1 pursuant to subsection (g) of Section 7 of the Freedom of
2 Information Act; and

3 (3) at least 30 days prior to the beginning of the
4 Department's fiscal year, the Department shall prepare an
5 annual written report on the activities of the private
6 manager selected under this Section and deliver that
7 report to the Governor and General Assembly.

8 (Source: P.A. 101-31, eff. 6-28-19; 101-81, eff. 7-12-19;
9 101-561, eff. 8-23-19; 102-558, eff. 8-20-21; 102-699, eff.
10 4-19-22; 102-1115, eff. 1-9-23.)

11 (20 ILCS 1605/10.1) (from Ch. 120, par. 1160.1)

12 Sec. 10.1. The following are ineligible for any license
13 under this Act:

14 (a) any person who has been convicted of a felony;

15 (b) any person who is or has been a professional
16 gambler or gambling promoter;

17 (c) any person who has engaged in bookmaking or other
18 forms of illegal gambling;

19 (d) any person who is not of good character and
20 reputation in the community in which he resides;

21 (e) any person who has been found guilty of any fraud
22 or misrepresentation in any connection;

23 (f) any firm or corporation in which a person defined
24 in item (a), (b), (c), (d), or (e) has a proprietary,
25 equitable or credit interest of 5% or more; and

1 (g) any organization in which a person defined in item
2 (a), (b), (c), (d), or (e) is an officer, director, or
3 managing agent, whether compensated or not; and

4 (h) any organization in which a person defined in item
5 ~~(a), (b), (c), (d),~~ or (e) is to participate in the
6 management or sales of lottery tickets or shares.

7 However, with respect to persons defined in (a), the
8 Department may grant any such person a license under this Act
9 when:

10 (1) at least 10 years have elapsed since the date when
11 the sentence for the most recent such conviction was
12 satisfactorily completed;

13 (2) the applicant has no history of criminal activity
14 subsequent to such conviction;

15 (3) the applicant has complied with all conditions of
16 probation, conditional discharge, supervision, parole, or
17 mandatory supervised release; and

18 (4) the applicant presents at least 3 letters of
19 recommendation from responsible citizens in his community
20 who personally can attest that the character and attitude
21 of the applicant indicate that he is unlikely to commit
22 another crime.

23 The Department may revoke, without notice or a hearing,
24 the license of any agent who violates this Act or any rule or
25 regulation promulgated pursuant to this Act. However, if the
26 Department does revoke a license without notice and an

1 opportunity for a hearing, the Department shall, by
2 appropriate notice, afford the person whose license has been
3 revoked an opportunity for a hearing within 30 days after the
4 revocation order has been issued. As a result of any such
5 hearing, the Department may confirm its action in revoking the
6 license, or it may order the restoration of such license.

7 (Source: P.A. 97-464, eff. 10-15-11.)

8 (20 ILCS 1605/10.6) (from Ch. 120, par. 1160.6)

9 Sec. 10.6. Information on odds of winning. The Department
10 shall make an effort to more directly inform players of the
11 odds of winning prizes by publishing the information for all
12 games on the Department's public website. ~~This effort shall~~
13 ~~include, at a minimum, that the Department require all ticket~~
14 ~~agents to display a placard stating the odds of winning for~~
15 ~~each game offered by that agent.~~

16 (Source: P.A. 97-464, eff. 10-15-11.)

17 (20 ILCS 1605/19) (from Ch. 120, par. 1169)

18 Sec. 19. Period for claiming prizes. The Department shall
19 establish an appropriate period for the claiming of prizes for
20 each lottery game offered. Each claim period shall be stated
21 in game rules and written play instructions issued by the
22 Director in accordance with Section 7.1 of this Act. Written
23 play instructions shall be made available on the Department's
24 public website or by the Department by request ~~to all players~~

1 ~~through sales agents licensed to sell game tickets or shares.~~

2 Prizes for lottery games which involve the purchase of a
3 physical lottery ticket may be claimed only by presentation of
4 a valid winning lottery ticket that matches validation records
5 on file with the Lottery; no claim may be honored which is
6 based on the assertion that the ticket was lost or stolen. No
7 lottery ticket which has been altered, mutilated, or fails to
8 pass validation tests shall be deemed to be a winning ticket.

9 If no claim is made for the money within the established
10 claim period, the prize may be included in the prize pool of
11 such special drawing or drawings as the Department may, from
12 time to time, designate. Unclaimed multi-state game prize
13 money may be included in the multi-state prize pool for such
14 special drawing or drawings as the multi-state game directors
15 may, from time to time, designate. Any bonuses offered by the
16 Department to sales agents who sell winning tickets or shares
17 shall be payable to such agents regardless of whether or not
18 the prize money on the ticket or share is claimed, provided
19 that the agent can be identified as the vendor of the winning
20 ticket or share, and that the winning ticket or share was sold
21 on or after January 1, 1984. All unclaimed prize money not
22 included in the prize pool of a special drawing shall be
23 transferred to the Common School Fund.

24 (Source: P.A. 97-464, eff. 10-15-11; 98-499, eff. 8-16-13.)

1 Sec. 20. State Lottery Fund.

2 (a) There is created in the State Treasury a special fund
3 to be known as the State Lottery Fund. Such fund shall consist
4 of all revenues received from (1) the sale of lottery tickets
5 or shares, (net of commissions, fees representing those
6 expenses that are directly proportionate to the sale of
7 tickets or shares at the agent location, and prizes of ~~less~~
8 ~~than~~ \$600 or less which have been validly paid at the agent
9 level), (2) application fees, and (3) all other sources
10 including moneys credited or transferred thereto from any
11 other fund or source pursuant to law. Interest earnings of the
12 State Lottery Fund shall be credited to the Common School
13 Fund.

14 (a-5) The receipt and distribution of moneys under Section
15 21.4 of this Act shall be in accordance with Section 21.4.

16 (b) The receipt and distribution of moneys under Section
17 21.5 of this Law shall be in accordance with Section 21.5.

18 (c) The receipt and distribution of moneys under Section
19 21.6 of this Law shall be in accordance with Section 21.6.

20 (d) The receipt and distribution of moneys under Section
21 21.7 of this Law shall be in accordance with Section 21.7.

22 (e) The receipt and distribution of moneys under Section
23 21.8 of this Law shall be in accordance with Section 21.8.

24 (f) The receipt and distribution of moneys under Section
25 21.9 of this Law shall be in accordance with Section 21.9.

26 (g) The receipt and distribution of moneys under Section

1 21.10 of this Law shall be in accordance with Section 21.10.

2 (h) The receipt and distribution of moneys under Section
3 21.11 of this Law shall be in accordance with Section 21.11.

4 (i) (Blank).

5 (j) The receipt and distribution of moneys under Section
6 21.13 of this Law shall be in accordance with Section 21.13.

7 (k) The receipt and distribution of moneys under Section
8 25-70 of the Sports Wagering Act shall be in accordance with
9 Section 25-70 of the Sports Wagering Act.

10 (l) The receipt and distribution of moneys under Section
11 21.15 of this Law shall be in accordance with Section 21.15.

12 (m) The receipt and distribution of moneys under Section
13 21.16 of this Law shall be in accordance with Section 21.16.

14 (Source: P.A. 102-16, eff. 6-17-21; 103-381, eff. 7-28-23.)

15 (20 ILCS 1605/20.1) (from Ch. 120, par. 1170.1)

16 Sec. 20.1. Department account.

17 (a) The Department is authorized to pay validated prizes
18 ~~up to \$25,000~~ from funds held by the Department in an account
19 separate and apart from all public moneys of the State. Moneys
20 in this account shall be administered by the Director
21 exclusively for the purposes of issuing payments to prize
22 winners authorized by this Section. ~~Moneys in this account~~
23 ~~shall be deposited by the Department into the Public~~
24 ~~Treasurers' Investment Pool established under Section 17 of~~
25 ~~the State Treasurer Act.~~ The Department shall submit vouchers

1 from time to time as needed for reimbursement of this account
2 from moneys appropriated for prizes from the State Lottery
3 Fund. Investment income earned from this account shall be
4 deposited ~~monthly~~ by the Department into the Common School
5 Fund. The Department shall file quarterly fiscal reports
6 specifying the activity of this account as required under
7 Section 16 of the State Comptroller Act, and shall file
8 quarterly with the General Assembly, the Auditor General, the
9 Comptroller, and the State Treasurer a report indicating the
10 costs associated with this activity.

11 (b) The Department is authorized to enter into an
12 interagency agreement with the Office of the Comptroller or
13 any other State agency to establish responsibilities, duties,
14 and procedures for complying with the Comptroller's Offset
15 System under Section 10.05 of the State Comptroller Act. All
16 federal and State tax reporting and withholding requirements
17 relating to prize winners under this Section shall be the
18 responsibility of the Department. ~~Moneys from this account may~~
19 ~~not be used to pay amounts to deferred prize winners.~~ Moneys
20 may not be transferred from the State Lottery Fund to this
21 account for payment of prizes under this Section until
22 procedures are implemented to comply with the Comptroller's
23 Offset System and sufficient internal controls are in place to
24 validate prizes.

25 (Source: P.A. 97-464, eff. 10-15-11; 98-499, eff. 8-16-13.)

1 (20 ILCS 1605/24) (from Ch. 120, par. 1174)

2 Sec. 24. Preaudits and post-audits. The State Comptroller
3 shall conduct a preaudit of all accounts and transactions of
4 the Department in connection with the operation of the State
5 Lottery under the State Comptroller Act, excluding payments
6 issued by the Department for prizes ~~of \$25,000 or less.~~

7 The Auditor General or a certified public accountant firm
8 appointed by him shall conduct an annual post-audit of all
9 accounts and transactions of the Department in connection with
10 the operation of the State Lottery and other special post
11 audits as the Auditor General, the Legislative Audit
12 Commission, or the General Assembly deems necessary. The
13 annual post-audits shall include payments made by lottery
14 sales agents of prizes of ~~less than~~ \$600 or less authorized
15 under Section 20, and payments made by the Department of
16 prizes ~~up to \$25,000~~ authorized under Section 20.1. The
17 Auditor General or his agent conducting an audit under this
18 Act shall have access and authority to examine any and all
19 records of the Department or the Board, its distributing
20 agents and its licensees.

21 (Source: P.A. 94-776, eff. 5-19-06.)

22 (20 ILCS 1605/27) (from Ch. 120, par. 1177)

23 Sec. 27. Contracts to perform financial functions of
24 lottery.

25 (a) The Department may ~~State Treasurer may, with the~~

1 ~~consent of the Director,~~ contract with any person or
2 corporation, including, without limitation, a bank, banking
3 house, trust company, or investment banking firm, to perform
4 such financial functions, activities, or services in
5 connection with operation of the lottery. The State Treasurer
6 may, with the consent of the Director, act as an agent of the
7 Department to perform the financial functions as the Director
8 may prescribe as the State Treasurer and the Director may
9 prescribe.

10 (b) All proceeds from investments made pursuant to
11 contracts executed by the Department or the State Treasurer,
12 with the consent of the Director, to perform financial
13 functions, activities, or services in connection with
14 operation of the lottery, shall be deposited and held ~~by the~~
15 ~~State Treasurer as ex officio custodian thereof,~~ separate and
16 apart from all public money or funds of this State in a special
17 trust fund outside the State treasury. Such trust fund shall
18 be known as the "Deferred Lottery Prize Winners Trust Fund",
19 and shall be administered by the Director.

20 ~~The Director shall, at such times and in such amounts as~~
21 ~~shall be necessary, prepare and send to the State Comptroller~~
22 ~~vouchers requesting payment from the Deferred Lottery Prize~~
23 ~~Winners Trust Fund to deferred prize winners, in a manner that~~
24 ~~will insure the timely payment of such amounts owed.~~

25 This Act shall constitute an irrevocable appropriation of
26 all amounts necessary for that purpose, and the irrevocable

1 and continuing authority for and direction to the Director and
2 the State Treasurer to make the necessary payments out of such
3 trust fund for that purpose.

4 (c) Moneys invested pursuant to subsection (a) of this
5 Section may be invested only in bonds, notes, certificates of
6 indebtedness, treasury bills, or other securities constituting
7 direct obligations of the United States of America and all
8 securities or obligations the prompt payment of principal and
9 interest of which is guaranteed by a pledge of the full faith
10 and credit of the United States of America. Interest earnings
11 on moneys in the Deferred Lottery Prize Winners Trust Fund
12 shall remain in such fund and be used to pay the winners of
13 lottery prizes deferred as to payment until such obligations
14 are discharged. Proceeds from bonds purchased and interest
15 accumulated as a result of a grand prize multi-state game
16 ticket that goes unclaimed will be transferred after the
17 termination of the relevant claim period directly from the
18 lottery's Deferred Lottery Prize Winners Trust Fund to each
19 respective multi-state partner state according to its
20 contribution ratio.

21 (c-5) If a deferred lottery prize is not claimed within
22 the claim period established by game rule, then the securities
23 or other instruments purchased to fund the prize shall be
24 liquidated and the liquidated amount shall be transferred to
25 the State Lottery Fund for disposition pursuant to Section 19
26 of this Act.

1 (c-10) The Director may use a portion of the moneys in the
2 Deferred Lottery Prize Winners Trust Fund to purchase bonds to
3 pay a lifetime prize if the prize duration exceeds the length
4 of available securities. If the winner of a lifetime prize
5 exceeds his or her life expectancy as determined using
6 actuarial assumptions and the securities or moneys set aside
7 to pay the prize have been exhausted, moneys in the State
8 Lottery Fund shall be used to make payments to the winner for
9 the duration of the winner's life.

10 (c-15) From time to time, the Director may request that
11 the State Comptroller transfer any excess moneys in the
12 Deferred Lottery Prize Winners Trust Fund to the State Lottery
13 Fund.

14 (d) This amendatory Act of 1985 shall be construed
15 liberally to effect the purposes of the Illinois Lottery Law.

16 (Source: P.A. 97-464, eff. 10-15-11; 98-463, eff. 8-16-13;
17 98-499, eff. 8-16-13.)

18 Section 35. The Illinois Horse Racing Act of 1975 is
19 amended by changing Sections 26, 27, 28.1, and 31.1 as
20 follows:

21 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

22 Sec. 26. Wagering.

23 (a) Any licensee may conduct and supervise the pari-mutuel
24 system of wagering, as defined in Section 3.12 of this Act, on

1 horse races conducted by an Illinois organization licensee or
2 conducted at a racetrack located in another state or country
3 in accordance with subsection (g) of Section 26 of this Act.
4 Subject to the prior consent of the Board, licensees may
5 supplement any pari-mutuel pool in order to guarantee a
6 minimum distribution. Such pari-mutuel method of wagering
7 shall not, under any circumstances if conducted under the
8 provisions of this Act, be held or construed to be unlawful,
9 other statutes of this State to the contrary notwithstanding.
10 Subject to rules for advance wagering promulgated by the
11 Board, any licensee may accept wagers in advance of the day the
12 race wagered upon occurs.

13 (b) Except for those gaming activities for which a license
14 is obtained and authorized under the Illinois Lottery Law, the
15 Charitable Games Act, the Raffles and Poker Runs Act, or the
16 Illinois Gambling Act, no other method of betting, pool
17 making, wagering, or gambling shall be used or permitted by
18 the licensee. Each licensee may retain, subject to the payment
19 of all applicable taxes and purses, an amount not to exceed 17%
20 of all money wagered under subsection (a) of this Section,
21 except as may otherwise be permitted under this Act.

22 (b-5) An individual may place a wager under the
23 pari-mutuel system from any licensed location authorized under
24 this Act provided that wager is electronically recorded in the
25 manner described in Section 3.12 of this Act. Any wager made
26 electronically by an individual while physically on the

1 premises of a licensee shall be deemed to have been made at the
2 premises of that licensee.

3 (c) (Blank).

4 (c-5) The sum held by any licensee for payment of
5 outstanding pari-mutuel tickets, if unclaimed prior to
6 December 31 of the next year, shall be retained by the licensee
7 for payment of such tickets until that date. Within 10 days
8 thereafter, the balance of such sum remaining unclaimed, less
9 any uncashed supplements contributed by such licensee for the
10 purpose of guaranteeing minimum distributions of any
11 pari-mutuel pool, shall be evenly distributed to the purse
12 account of the organization licensee and the organization
13 licensee, except that the balance of the sum of all
14 outstanding pari-mutuel tickets generated from simulcast
15 wagering and inter-track wagering by an organization licensee
16 located in a county with a population in excess of 230,000 and
17 borders the Mississippi River or any licensee that derives its
18 license from that organization licensee shall be evenly
19 distributed to the purse account of the organization licensee
20 and the organization licensee.

21 (d) A pari-mutuel ticket shall be honored until December
22 31 of the next calendar year, and the licensee shall pay the
23 same and may charge the amount thereof against unpaid money
24 similarly accumulated on account of pari-mutuel tickets not
25 presented for payment.

26 (e) No licensee shall knowingly permit any minor, other

1 than an employee of such licensee or an owner, trainer,
2 jockey, driver, or employee thereof, to be admitted during a
3 racing program unless accompanied by a parent or guardian, or
4 any minor to be a patron of the pari-mutuel system of wagering
5 conducted or supervised by it. The admission of any
6 unaccompanied minor, other than an employee of the licensee or
7 an owner, trainer, jockey, driver, or employee thereof at a
8 race track is a Class C misdemeanor.

9 (f) Notwithstanding the other provisions of this Act, an
10 organization licensee may contract with an entity in another
11 state or country to permit any legal wagering entity in
12 another state or country to accept wagers solely within such
13 other state or country on races conducted by the organization
14 licensee in this State. Beginning January 1, 2000, these
15 wagers shall not be subject to State taxation. Until January
16 1, 2000, when the out-of-State entity conducts a pari-mutuel
17 pool separate from the organization licensee, a privilege tax
18 equal to 7 1/2% of all monies received by the organization
19 licensee from entities in other states or countries pursuant
20 to such contracts is imposed on the organization licensee, and
21 such privilege tax shall be remitted to the Department of
22 Revenue within 48 hours of receipt of the moneys from the
23 simulcast. When the out-of-State entity conducts a combined
24 pari-mutuel pool with the organization licensee, the tax shall
25 be 10% of all monies received by the organization licensee
26 with 25% of the receipts from this 10% tax to be distributed to

1 the county in which the race was conducted.

2 An organization licensee may permit one or more of its
3 races to be utilized for pari-mutuel wagering at one or more
4 locations in other states and may transmit audio and visual
5 signals of races the organization licensee conducts to one or
6 more locations outside the State or country and may also
7 permit pari-mutuel pools in other states or countries to be
8 combined with its gross or net wagering pools or with wagering
9 pools established by other states.

10 (g) A host track may accept interstate simulcast wagers on
11 horse races conducted in other states or countries and shall
12 control the number of signals and types of breeds of racing in
13 its simulcast program, subject to the disapproval of the
14 Board. The Board may prohibit a simulcast program only if it
15 finds that the simulcast program is clearly adverse to the
16 integrity of racing. The host track simulcast program shall
17 include the signal of live racing of all organization
18 licensees. All non-host licensees and advance deposit wagering
19 licensees shall carry the signal of and accept wagers on live
20 racing of all organization licensees. Advance deposit wagering
21 licensees shall not be permitted to accept out-of-state wagers
22 on any Illinois signal provided pursuant to this Section
23 without the approval and consent of the organization licensee
24 providing the signal. For one year after August 15, 2014 (the
25 effective date of Public Act 98-968), non-host licensees may
26 carry the host track simulcast program and shall accept wagers

1 on all races included as part of the simulcast program of horse
2 races conducted at race tracks located within North America
3 upon which wagering is permitted. For a period of one year
4 after August 15, 2014 (the effective date of Public Act
5 98-968), on horse races conducted at race tracks located
6 outside of North America, non-host licensees may accept wagers
7 on all races included as part of the simulcast program upon
8 which wagering is permitted. Beginning August 15, 2015 (one
9 year after the effective date of Public Act 98-968), non-host
10 licensees may carry the host track simulcast program and shall
11 accept wagers on all races included as part of the simulcast
12 program upon which wagering is permitted. All organization
13 licensees shall provide their live signal to all advance
14 deposit wagering licensees for a simulcast commission fee not
15 to exceed 6% of the advance deposit wagering licensee's
16 Illinois handle on the organization licensee's signal without
17 prior approval by the Board. The Board may adopt rules under
18 which it may permit simulcast commission fees in excess of 6%.
19 The Board shall adopt rules limiting the interstate commission
20 fees charged to an advance deposit wagering licensee. The
21 Board shall adopt rules regarding advance deposit wagering on
22 interstate simulcast races that shall reflect, among other
23 things, the General Assembly's desire to maximize revenues to
24 the State, horsemen purses, and organization licensees.
25 However, organization licensees providing live signals
26 pursuant to the requirements of this subsection (g) may

1 petition the Board to withhold their live signals from an
2 advance deposit wagering licensee if the organization licensee
3 discovers and the Board finds reputable or credible
4 information that the advance deposit wagering licensee is
5 under investigation by another state or federal governmental
6 agency, the advance deposit wagering licensee's license has
7 been suspended in another state, or the advance deposit
8 wagering licensee's license is in revocation proceedings in
9 another state. The organization licensee's provision of their
10 live signal to an advance deposit wagering licensee under this
11 subsection (g) pertains to wagers placed from within Illinois.
12 Advance deposit wagering licensees may place advance deposit
13 wagering terminals at wagering facilities as a convenience to
14 customers. The advance deposit wagering licensee shall not
15 charge or collect any fee from purses for the placement of the
16 advance deposit wagering terminals. The costs and expenses of
17 the host track and non-host licensees associated with
18 interstate simulcast wagering, other than the interstate
19 commission fee, shall be borne by the host track and all
20 non-host licensees incurring these costs. The interstate
21 commission fee shall not exceed 5% of Illinois handle on the
22 interstate simulcast race or races without prior approval of
23 the Board. The Board shall promulgate rules under which it may
24 permit interstate commission fees in excess of 5%. The
25 interstate commission fee and other fees charged by the
26 sending racetrack, including, but not limited to, satellite

1 decoder fees, shall be uniformly applied to the host track and
2 all non-host licensees.

3 Notwithstanding any other provision of this Act, an
4 organization licensee, with the consent of the horsemen
5 association representing the largest number of owners,
6 trainers, jockeys, or standardbred drivers who race horses at
7 that organization licensee's racing meeting, may maintain a
8 system whereby advance deposit wagering may take place or an
9 organization licensee, with the consent of the horsemen
10 association representing the largest number of owners,
11 trainers, jockeys, or standardbred drivers who race horses at
12 that organization licensee's racing meeting, may contract with
13 another person to carry out a system of advance deposit
14 wagering. Such consent may not be unreasonably withheld. Only
15 with respect to an appeal to the Board that consent for an
16 organization licensee that maintains its own advance deposit
17 wagering system is being unreasonably withheld, the Board
18 shall issue a final order within 30 days after initiation of
19 the appeal, and the organization licensee's advance deposit
20 wagering system may remain operational during that 30-day
21 period. The actions of any organization licensee who conducts
22 advance deposit wagering or any person who has a contract with
23 an organization licensee to conduct advance deposit wagering
24 who conducts advance deposit wagering on or after January 1,
25 2013 and prior to June 7, 2013 (the effective date of Public
26 Act 98-18) taken in reliance on the changes made to this

1 subsection (g) by Public Act 98-18 are hereby validated,
2 provided payment of all applicable pari-mutuel taxes are
3 remitted to the Board. All advance deposit wagers placed from
4 within Illinois must be placed through a Board-approved
5 advance deposit wagering licensee; no other entity may accept
6 an advance deposit wager from a person within Illinois. All
7 advance deposit wagering is subject to any rules adopted by
8 the Board. The Board may adopt rules necessary to regulate
9 advance deposit wagering through the use of emergency
10 rulemaking in accordance with Section 5-45 of the Illinois
11 Administrative Procedure Act. The General Assembly finds that
12 the adoption of rules to regulate advance deposit wagering is
13 deemed an emergency and necessary for the public interest,
14 safety, and welfare. An advance deposit wagering licensee may
15 retain all moneys as agreed to by contract with an
16 organization licensee. Any moneys retained by the organization
17 licensee from advance deposit wagering, not including moneys
18 retained by the advance deposit wagering licensee, shall be
19 paid 50% to the organization licensee's purse account and 50%
20 to the organization licensee. With the exception of any
21 organization licensee that is owned by a publicly traded
22 company that is incorporated in a state other than Illinois
23 and advance deposit wagering licensees under contract with
24 such organization licensees, organization licensees that
25 maintain advance deposit wagering systems and advance deposit
26 wagering licensees that contract with organization licensees

1 shall provide sufficiently detailed monthly accountings to the
2 horsemen association representing the largest number of
3 owners, trainers, jockeys, or standardbred drivers who race
4 horses at that organization licensee's racing meeting so that
5 the horsemen association, as an interested party, can confirm
6 the accuracy of the amounts paid to the purse account at the
7 horsemen association's affiliated organization licensee from
8 advance deposit wagering. If more than one breed races at the
9 same race track facility, then the 50% of the moneys to be paid
10 to an organization licensee's purse account shall be allocated
11 among all organization licensees' purse accounts operating at
12 that race track facility proportionately based on the actual
13 number of host days that the Board grants to that breed at that
14 race track facility in the current calendar year. To the
15 extent any fees from advance deposit wagering conducted in
16 Illinois for wagers in Illinois or other states have been
17 placed in escrow or otherwise withheld from wagers pending a
18 determination of the legality of advance deposit wagering, no
19 action shall be brought to declare such wagers or the
20 disbursement of any fees previously escrowed illegal.

21 (1) Between the hours of 6:30 a.m. and 6:30 p.m. an
22 inter-track wagering licensee other than the host track
23 may supplement the host track simulcast program with
24 additional simulcast races or race programs, provided that
25 between January 1 and the third Friday in February of any
26 year, inclusive, if no live thoroughbred racing is

1 occurring in Illinois during this period, only
2 thoroughbred races may be used for supplemental interstate
3 simulcast purposes. The Board shall withhold approval for
4 a supplemental interstate simulcast only if it finds that
5 the simulcast is clearly adverse to the integrity of
6 racing. A supplemental interstate simulcast may be
7 transmitted from an inter-track wagering licensee to its
8 affiliated non-host licensees. The interstate commission
9 fee for a supplemental interstate simulcast shall be paid
10 by the non-host licensee and its affiliated non-host
11 licensees receiving the simulcast.

12 (2) Between the hours of 6:30 p.m. and 6:30 a.m. an
13 inter-track wagering licensee other than the host track
14 may receive supplemental interstate simulcasts only with
15 the consent of the host track, except when the Board finds
16 that the simulcast is clearly adverse to the integrity of
17 racing. Consent granted under this paragraph (2) to any
18 inter-track wagering licensee shall be deemed consent to
19 all non-host licensees. The interstate commission fee for
20 the supplemental interstate simulcast shall be paid by all
21 participating non-host licensees.

22 (3) Each licensee conducting interstate simulcast
23 wagering may retain, subject to the payment of all
24 applicable taxes and the purses, an amount not to exceed
25 17% of all money wagered. If any licensee conducts the
26 pari-mutuel system wagering on races conducted at

1 racetracks in another state or country, each such race or
2 race program shall be considered a separate racing day for
3 the purpose of determining the daily handle and computing
4 the privilege tax of that daily handle as provided in
5 subsection (a) of Section 27. Until January 1, 2000, from
6 the sums permitted to be retained pursuant to this
7 subsection, each inter-track wagering location licensee
8 shall pay 1% of the pari-mutuel handle wagered on
9 simulcast wagering to the Horse Racing Tax Allocation
10 Fund, subject to the provisions of subparagraph (B) of
11 paragraph (11) of subsection (h) of Section 26 of this
12 Act.

13 (4) A licensee who receives an interstate simulcast
14 may combine its gross or net pools with pools at the
15 sending racetracks pursuant to rules established by the
16 Board. All licensees combining their gross pools at a
17 sending racetrack shall adopt the takeout percentages of
18 the sending racetrack. A licensee may also establish a
19 separate pool and takeout structure for wagering purposes
20 on races conducted at race tracks outside of the State of
21 Illinois. The licensee may permit pari-mutuel wagers
22 placed in other states or countries to be combined with
23 its gross or net wagering pools or other wagering pools.

24 (5) After the payment of the interstate commission fee
25 (except for the interstate commission fee on a
26 supplemental interstate simulcast, which shall be paid by

1 the host track and by each non-host licensee through the
2 host track) and all applicable State and local taxes,
3 except as provided in subsection (g) of Section 27 of this
4 Act, the remainder of moneys retained from simulcast
5 wagering pursuant to this subsection (g), and Section 26.2
6 shall be divided as follows:

7 (A) For interstate simulcast wagers made at a host
8 track, 50% to the host track and 50% to purses at the
9 host track.

10 (B) For wagers placed on interstate simulcast
11 races, supplemental simulcasts as defined in
12 subparagraphs (1) and (2), and separately pooled races
13 conducted outside of the State of Illinois made at a
14 non-host licensee, 25% to the host track, 25% to the
15 non-host licensee, and 50% to the purses at the host
16 track.

17 (6) Notwithstanding any provision in this Act to the
18 contrary, non-host licensees who derive their licenses
19 from a track located in a county with a population in
20 excess of 230,000 and that borders the Mississippi River
21 may receive supplemental interstate simulcast races at all
22 times subject to Board approval, which shall be withheld
23 only upon a finding that a supplemental interstate
24 simulcast is clearly adverse to the integrity of racing.

25 (7) Effective January 1, 2017, notwithstanding any
26 provision of this Act to the contrary, after payment of

1 all applicable State and local taxes and interstate
2 commission fees, non-host licensees who derive their
3 licenses from a track located in a county with a
4 population in excess of 230,000 and that borders the
5 Mississippi River shall retain 50% of the retention from
6 interstate simulcast wagers and shall pay 50% to purses at
7 the track from which the non-host licensee derives its
8 license.

9 (7.1) Notwithstanding any other provision of this Act
10 to the contrary, if no standardbred racing is conducted at
11 a racetrack located in Madison County during any calendar
12 year beginning on or after January 1, 2002, and the
13 licensee that conducts horse racing at that racetrack
14 requests from the Board at least as many racing dates as
15 were conducted in calendar year 2000, all moneys derived
16 by that racetrack from simulcast wagering and inter-track
17 wagering that (1) are to be used for purses and (2) are
18 generated between the hours of 6:30 p.m. and 6:30 a.m.
19 during that calendar year shall be paid as follows:

20 (A) Eighty percent ~~If the licensee that conducts~~
21 ~~horse racing at that racetrack requests from the Board~~
22 ~~at least as many racing dates as were conducted in~~
23 ~~calendar year 2000, 80%~~ shall be paid to its
24 thoroughbred purse account; and

25 (B) Twenty percent shall be deposited into the
26 Illinois Colt Stakes Purse Distribution Fund and shall

1 be paid to purses for standardbred races for Illinois
2 conceived and foaled horses conducted at any county
3 fairgrounds. The moneys deposited into the Fund
4 pursuant to this subparagraph (B) shall be deposited
5 within 2 weeks after the day they were generated,
6 shall be in addition to and not in lieu of any other
7 moneys paid to standardbred purses under this Act, and
8 shall not be commingled with other moneys paid into
9 that Fund. The moneys deposited pursuant to this
10 subparagraph (B) shall be allocated as provided by the
11 Department of Agriculture, with the advice and
12 assistance of the Illinois Standardbred Breeders Fund
13 Advisory Board.

14 (7.2) Notwithstanding any other provision of this Act
15 to the contrary, if no thoroughbred racing is conducted at
16 a racetrack located in Madison County during any calendar
17 year beginning on or after January 1, 2002, and the
18 licensee that conducts horse racing at that racetrack
19 requests from the Board at least as many racing dates as
20 were conducted in calendar year 2000, all moneys derived
21 by that racetrack from simulcast wagering and inter-track
22 wagering that (1) are to be used for purses and (2) are
23 generated between the hours of 6:30 a.m. and 6:30 p.m.
24 during that calendar year shall be deposited as follows:

25 (A) Eighty percent ~~If the licensee that conducts~~
26 ~~horse racing at that racetrack requests from the Board~~

1 ~~at least as many racing dates as were conducted in~~
2 ~~calendar year 2000, 80%~~ shall be deposited into its
3 standardbred purse account; and

4 (B) Twenty percent shall be deposited into the
5 Illinois Colt Stakes Purse Distribution Fund. Moneys
6 deposited into the Illinois Colt Stakes Purse
7 Distribution Fund pursuant to this subparagraph (B)
8 shall be paid to Illinois conceived and foaled
9 thoroughbred breeders' programs and to thoroughbred
10 purses for races conducted at any county fairgrounds
11 for Illinois conceived and foaled horses at the
12 discretion of the Department of Agriculture, with the
13 advice and assistance of the Illinois Thoroughbred
14 Breeders Fund Advisory Board. The moneys deposited
15 into the Illinois Colt Stakes Purse Distribution Fund
16 pursuant to this subparagraph (B) shall be deposited
17 within 2 weeks after the day they were generated,
18 shall be in addition to and not in lieu of any other
19 moneys paid to thoroughbred purses under this Act, and
20 shall not be commingled with other moneys deposited
21 into that Fund.

22 (8) Notwithstanding any provision in this Act to the
23 contrary, an organization licensee from a track located in
24 a county with a population in excess of 230,000 and that
25 borders the Mississippi River and its affiliated non-host
26 licensees shall not be entitled to share in any retention

1 generated on racing, inter-track wagering, or simulcast
2 wagering at any other Illinois wagering facility.

3 (8.1) Notwithstanding any provisions in this Act to
4 the contrary, if 2 organization licensees are conducting
5 standardbred race meetings concurrently between the hours
6 of 6:30 p.m. and 6:30 a.m., after payment of all
7 applicable State and local taxes and interstate commission
8 fees, the remainder of the amount retained from simulcast
9 wagering otherwise attributable to the host track and to
10 host track purses shall be split daily between the 2
11 organization licensees and the purses at the tracks of the
12 2 organization licensees, respectively, based on each
13 organization licensee's share of the total live handle for
14 that day, provided that this provision shall not apply to
15 any non-host licensee that derives its license from a
16 track located in a county with a population in excess of
17 230,000 and that borders the Mississippi River.

18 (9) (Blank).

19 (10) (Blank).

20 (11) (Blank).

21 (12) The Board shall have authority to compel all host
22 tracks to receive the simulcast of any or all races
23 conducted at the Springfield or DuQuoin State fairgrounds
24 and include all such races as part of their simulcast
25 programs.

26 (13) Notwithstanding any other provision of this Act,

1 in the event that the total Illinois pari-mutuel handle on
2 Illinois horse races at all wagering facilities in any
3 calendar year is less than 75% of the total Illinois
4 pari-mutuel handle on Illinois horse races at all such
5 wagering facilities for calendar year 1994, then each
6 wagering facility that has an annual total Illinois
7 pari-mutuel handle on Illinois horse races that is less
8 than 75% of the total Illinois pari-mutuel handle on
9 Illinois horse races at such wagering facility for
10 calendar year 1994, shall be permitted to receive, from
11 any amount otherwise payable to the purse account at the
12 race track with which the wagering facility is affiliated
13 in the succeeding calendar year, an amount equal to 2% of
14 the differential in total Illinois pari-mutuel handle on
15 Illinois horse races at the wagering facility between that
16 calendar year in question and 1994 provided, however, that
17 a wagering facility shall not be entitled to any such
18 payment until the Board certifies in writing to the
19 wagering facility the amount to which the wagering
20 facility is entitled and a schedule for payment of the
21 amount to the wagering facility, based on: (i) the racing
22 dates awarded to the race track affiliated with the
23 wagering facility during the succeeding year; (ii) the
24 sums available or anticipated to be available in the purse
25 account of the race track affiliated with the wagering
26 facility for purses during the succeeding year; and (iii)

1 the need to ensure reasonable purse levels during the
2 payment period. The Board's certification shall be
3 provided no later than January 31 of the succeeding year.
4 In the event a wagering facility entitled to a payment
5 under this paragraph (13) is affiliated with a race track
6 that maintains purse accounts for both standardbred and
7 thoroughbred racing, the amount to be paid to the wagering
8 facility shall be divided between each purse account pro
9 rata, based on the amount of Illinois handle on Illinois
10 standardbred and thoroughbred racing respectively at the
11 wagering facility during the previous calendar year.
12 Annually, the General Assembly shall appropriate
13 sufficient funds from the General Revenue Fund to the
14 Department of Agriculture for payment into the
15 thoroughbred and standardbred horse racing purse accounts
16 at Illinois pari-mutuel tracks. The amount paid to each
17 purse account shall be the amount certified by the
18 Illinois Racing Board in January to be transferred from
19 each account to each eligible racing facility in
20 accordance with the provisions of this Section. Beginning
21 in the calendar year in which an organization licensee
22 that is eligible to receive payment under this paragraph
23 (13) begins to receive funds from gaming pursuant to an
24 organization gaming license issued under the Illinois
25 Gambling Act, the amount of the payment due to all
26 wagering facilities licensed under that organization

1 licensee under this paragraph (13) shall be the amount
2 certified by the Board in January of that year. An
3 organization licensee and its related wagering facilities
4 shall no longer be able to receive payments under this
5 paragraph (13) beginning in the year subsequent to the
6 first year in which the organization licensee begins to
7 receive funds from gaming pursuant to an organization
8 gaming license issued under the Illinois Gambling Act.

9 (h) The Board may approve and license the conduct of
10 inter-track wagering and simulcast wagering by inter-track
11 wagering licensees and inter-track wagering location licensees
12 subject to the following terms and conditions:

13 (1) Any person licensed to conduct a race meeting (i)
14 at a track where 60 or more days of racing were conducted
15 during the immediately preceding calendar year or where
16 over the 5 immediately preceding calendar years an average
17 of 30 or more days of racing were conducted annually may be
18 issued an inter-track wagering license; (ii) at a track
19 located in a county that is bounded by the Mississippi
20 River, which has a population of less than 150,000
21 according to the 1990 decennial census, and an average of
22 at least 60 days of racing per year between 1985 and 1993
23 may be issued an inter-track wagering license; (iii) at a
24 track awarded standardbred racing dates; or (iv) at a
25 track located in Madison County that conducted at least
26 100 days of live racing during the immediately preceding

1 calendar year may be issued an inter-track wagering
2 license, unless a lesser schedule of live racing is the
3 result of (A) weather, unsafe track conditions, or other
4 acts of God; (B) an agreement between the organization
5 licensee and the associations representing the largest
6 number of owners, trainers, jockeys, or standardbred
7 drivers who race horses at that organization licensee's
8 racing meeting; or (C) a finding by the Board of
9 extraordinary circumstances and that it was in the best
10 interest of the public and the sport to conduct fewer than
11 100 days of live racing. Any such person having operating
12 control of the racing facility may receive inter-track
13 wagering location licenses. An eligible race track located
14 in a county that has a population of more than 230,000 and
15 that is bounded by the Mississippi River may establish up
16 to 9 inter-track wagering locations, an eligible race
17 track located in Stickney Township in Cook County may
18 establish up to 16 inter-track wagering locations, and an
19 eligible race track located in Palatine Township in Cook
20 County may establish up to 18 inter-track wagering
21 locations. An eligible racetrack conducting standardbred
22 racing may have up to 16 inter-track wagering locations.
23 An application for said license shall be filed with the
24 Board prior to such dates as may be fixed by the Board.
25 With an application for an inter-track wagering location
26 license there shall be delivered to the Board a certified

1 check or bank draft payable to the order of the Board for
2 an amount equal to \$500. The application shall be on forms
3 prescribed and furnished by the Board. The application
4 shall comply with all other rules, regulations, and
5 conditions imposed by the Board in connection therewith.

6 (2) The Board shall examine the applications with
7 respect to their conformity with this Act and the rules
8 and regulations imposed by the Board. If found to be in
9 compliance with the Act and rules and regulations of the
10 Board, the Board may then issue a license to conduct
11 inter-track wagering and simulcast wagering to such
12 applicant. All such applications shall be acted upon by
13 the Board at a meeting to be held on such date as may be
14 fixed by the Board.

15 (3) In granting licenses to conduct inter-track
16 wagering and simulcast wagering, the Board shall give due
17 consideration to the best interests of the public, of
18 horse racing, and of maximizing revenue to the State.

19 (4) Prior to the issuance of a license to conduct
20 inter-track wagering and simulcast wagering, the applicant
21 shall file with the Board a bond payable to the State of
22 Illinois in the sum of \$50,000, executed by the applicant
23 and a surety company or companies authorized to do
24 business in this State, and conditioned upon (i) the
25 payment by the licensee of all taxes due under Section 27
26 or 27.1 and any other monies due and payable under this

1 Act, and (ii) distribution by the licensee, upon
2 presentation of the winning ticket or tickets, of all sums
3 payable to the patrons of pari-mutuel pools.

4 (5) Each license to conduct inter-track wagering and
5 simulcast wagering shall specify the person to whom it is
6 issued, the dates on which such wagering is permitted, and
7 the track or location where the wagering is to be
8 conducted.

9 (6) All wagering under such license is subject to this
10 Act and to the rules and regulations from time to time
11 prescribed by the Board, and every such license issued by
12 the Board shall contain a recital to that effect.

13 (7) An inter-track wagering licensee or inter-track
14 wagering location licensee may accept wagers at the track
15 or location where it is licensed, or as otherwise provided
16 under this Act.

17 (8) Inter-track wagering or simulcast wagering shall
18 not be conducted at any track less than 4 miles from a
19 track at which a racing meeting is in progress.

20 (8.1) Inter-track wagering location licensees who
21 derive their licenses from a particular organization
22 licensee shall conduct inter-track wagering and simulcast
23 wagering only at locations that are within 160 miles of
24 that race track where the particular organization licensee
25 is licensed to conduct racing. However, inter-track
26 wagering and simulcast wagering shall not be conducted by

1 those licensees at any location within 5 miles of any race
2 track at which a horse race meeting has been licensed in
3 the current year, unless the person having operating
4 control of such race track has given its written consent
5 to such inter-track wagering location licensees, which
6 consent must be filed with the Board at or prior to the
7 time application is made. In the case of any inter-track
8 wagering location licensee initially licensed after
9 December 31, 2013, inter-track wagering and simulcast
10 wagering shall not be conducted by those inter-track
11 wagering location licensees that are located outside the
12 City of Chicago at any location within 8 miles of any race
13 track at which a horse race meeting has been licensed in
14 the current year, unless the person having operating
15 control of such race track has given its written consent
16 to such inter-track wagering location licensees, which
17 consent must be filed with the Board at or prior to the
18 time application is made.

19 (8.2) Inter-track wagering or simulcast wagering shall
20 not be conducted by an inter-track wagering location
21 licensee at any location within 100 feet of an existing
22 church, an existing elementary or secondary public school,
23 or an existing elementary or secondary private school
24 registered with or recognized by the State Board of
25 Education. The distance of 100 feet shall be measured to
26 the nearest part of any building used for worship

1 services, education programs, or conducting inter-track
2 wagering by an inter-track wagering location licensee, and
3 not to property boundaries. However, inter-track wagering
4 or simulcast wagering may be conducted at a site within
5 100 feet of a church or school if such church or school has
6 been erected or established after the Board issues the
7 original inter-track wagering location license at the site
8 in question. Inter-track wagering location licensees may
9 conduct inter-track wagering and simulcast wagering only
10 in areas that are zoned for commercial or manufacturing
11 purposes or in areas for which a special use has been
12 approved by the local zoning authority. However, no
13 license to conduct inter-track wagering and simulcast
14 wagering shall be granted by the Board with respect to any
15 inter-track wagering location within the jurisdiction of
16 any local zoning authority which has, by ordinance or by
17 resolution, prohibited the establishment of an inter-track
18 wagering location within its jurisdiction. However,
19 inter-track wagering and simulcast wagering may be
20 conducted at a site if such ordinance or resolution is
21 enacted after the Board licenses the original inter-track
22 wagering location licensee for the site in question.

23 (9) (Blank).

24 (10) An inter-track wagering licensee or an
25 inter-track wagering location licensee may retain, subject
26 to the payment of the privilege taxes and the purses, an

1 amount not to exceed 17% of all money wagered. Each
2 program of racing conducted by each inter-track wagering
3 licensee or inter-track wagering location licensee shall
4 be considered a separate racing day for the purpose of
5 determining the daily handle and computing the privilege
6 tax or pari-mutuel tax on such daily handle as provided in
7 Section 27.

8 (10.1) Except as provided in subsection (g) of Section
9 27 of this Act, inter-track wagering location licensees
10 shall pay 1% of the pari-mutuel handle at each location to
11 the municipality in which such location is situated and 1%
12 of the pari-mutuel handle at each location to the county
13 in which such location is situated. In the event that an
14 inter-track wagering location licensee is situated in an
15 unincorporated area of a county, such licensee shall pay
16 2% of the pari-mutuel handle from such location to such
17 county. Inter-track wagering location licensees must pay
18 the handle percentage required under this paragraph to the
19 municipality and county no later than the 20th of the
20 month following the month such handle was generated.

21 (10.2) Notwithstanding any other provision of this
22 Act, with respect to inter-track wagering at a race track
23 located in a county that has a population of more than
24 230,000 and that is bounded by the Mississippi River ("the
25 first race track"), or at a facility operated by an
26 inter-track wagering licensee or inter-track wagering

1 location licensee that derives its license from the
2 organization licensee that operates the first race track,
3 on races conducted at the first race track or on races
4 conducted at another Illinois race track and
5 simultaneously televised to the first race track or to a
6 facility operated by an inter-track wagering licensee or
7 inter-track wagering location licensee that derives its
8 license from the organization licensee that operates the
9 first race track, those moneys shall be allocated as
10 follows:

11 (A) That portion of all moneys wagered on
12 standardbred racing that is required under this Act to
13 be paid to purses shall be paid to purses for
14 standardbred races.

15 (B) That portion of all moneys wagered on
16 thoroughbred racing that is required under this Act to
17 be paid to purses shall be paid to purses for
18 thoroughbred races.

19 (11) (A) After payment of the privilege or pari-mutuel
20 tax, any other applicable taxes, and the costs and
21 expenses in connection with the gathering, transmission,
22 and dissemination of all data necessary to the conduct of
23 inter-track wagering, the remainder of the monies retained
24 under either Section 26 or Section 26.2 of this Act by the
25 inter-track wagering licensee on inter-track wagering
26 shall be allocated with 50% to be split between the 2

1 participating licensees and 50% to purses, except that an
2 inter-track wagering licensee that derives its license
3 from a track located in a county with a population in
4 excess of 230,000 and that borders the Mississippi River
5 shall not divide any remaining retention with the Illinois
6 organization licensee that provides the race or races, and
7 an inter-track wagering licensee that accepts wagers on
8 races conducted by an organization licensee that conducts
9 a race meet in a county with a population in excess of
10 230,000 and that borders the Mississippi River shall not
11 divide any remaining retention with that organization
12 licensee.

13 (B) From the sums permitted to be retained pursuant to
14 this Act each inter-track wagering location licensee shall
15 pay (i) the privilege or pari-mutuel tax to the State;
16 (ii) 4.75% of the pari-mutuel handle on inter-track
17 wagering at such location on races as purses, except that
18 an inter-track wagering location licensee that derives its
19 license from a track located in a county with a population
20 in excess of 230,000 and that borders the Mississippi
21 River shall retain all purse moneys for its own purse
22 account consistent with distribution set forth in this
23 subsection (h), and inter-track wagering location
24 licensees that accept wagers on races conducted by an
25 organization licensee located in a county with a
26 population in excess of 230,000 and that borders the

1 Mississippi River shall distribute all purse moneys to
2 purses at the operating host track; (iii) until January 1,
3 2000, except as provided in subsection (g) of Section 27
4 of this Act, 1% of the pari-mutuel handle wagered on
5 inter-track wagering and simulcast wagering at each
6 inter-track wagering location licensee facility to the
7 Horse Racing Tax Allocation Fund, provided that, to the
8 extent the total amount collected and distributed to the
9 Horse Racing Tax Allocation Fund under this subsection (h)
10 during any calendar year exceeds the amount collected and
11 distributed to the Horse Racing Tax Allocation Fund during
12 calendar year 1994, that excess amount shall be
13 redistributed (I) to all inter-track wagering location
14 licensees, based on each licensee's pro rata share of the
15 total handle from inter-track wagering and simulcast
16 wagering for all inter-track wagering location licensees
17 during the calendar year in which this provision is
18 applicable; then (II) the amounts redistributed to each
19 inter-track wagering location licensee as described in
20 subpart (I) shall be further redistributed as provided in
21 subparagraph (B) of paragraph (5) of subsection (g) of
22 this Section 26 provided first, that the shares of those
23 amounts, which are to be redistributed to the host track
24 or to purses at the host track under subparagraph (B) of
25 paragraph (5) of subsection (g) of this Section 26 shall
26 be redistributed based on each host track's pro rata share

1 of the total inter-track wagering and simulcast wagering
2 handle at all host tracks during the calendar year in
3 question, and second, that any amounts redistributed as
4 described in part (I) to an inter-track wagering location
5 licensee that accepts wagers on races conducted by an
6 organization licensee that conducts a race meet in a
7 county with a population in excess of 230,000 and that
8 borders the Mississippi River shall be further
9 redistributed, effective January 1, 2017, as provided in
10 paragraph (7) of subsection (g) of this Section 26, with
11 the portion of that further redistribution allocated to
12 purses at that organization licensee to be divided between
13 standardbred purses and thoroughbred purses based on the
14 amounts otherwise allocated to purses at that organization
15 licensee during the calendar year in question; and (iv) 8%
16 of the pari-mutuel handle on inter-track wagering wagered
17 at such location to satisfy all costs and expenses of
18 conducting its wagering. The remainder of the monies
19 retained by the inter-track wagering location licensee
20 shall be allocated 40% to the location licensee and 60% to
21 the organization licensee which provides the Illinois
22 races to the location, except that an inter-track wagering
23 location licensee that derives its license from a track
24 located in a county with a population in excess of 230,000
25 and that borders the Mississippi River shall not divide
26 any remaining retention with the organization licensee

1 that provides the race or races and an inter-track
2 wagering location licensee that accepts wagers on races
3 conducted by an organization licensee that conducts a race
4 meet in a county with a population in excess of 230,000 and
5 that borders the Mississippi River shall not divide any
6 remaining retention with the organization licensee.
7 Notwithstanding the provisions of clauses (ii) and (iv) of
8 this paragraph, in the case of the additional inter-track
9 wagering location licenses authorized under paragraph (1)
10 of this subsection (h) by Public Act 87-110, those
11 licensees shall pay the following amounts as purses:
12 during the first 12 months the licensee is in operation,
13 5.25% of the pari-mutuel handle wagered at the location on
14 races; during the second 12 months, 5.25%; during the
15 third 12 months, 5.75%; during the fourth 12 months,
16 6.25%; and during the fifth 12 months and thereafter,
17 6.75%. The following amounts shall be retained by the
18 licensee to satisfy all costs and expenses of conducting
19 its wagering: during the first 12 months the licensee is
20 in operation, 8.25% of the pari-mutuel handle wagered at
21 the location; during the second 12 months, 8.25%; during
22 the third 12 months, 7.75%; during the fourth 12 months,
23 7.25%; and during the fifth 12 months and thereafter,
24 6.75%. For additional inter-track wagering location
25 licensees authorized under Public Act 89-16, purses for
26 the first 12 months the licensee is in operation shall be

1 5.75% of the pari-mutuel wagered at the location, purses
2 for the second 12 months the licensee is in operation
3 shall be 6.25%, and purses thereafter shall be 6.75%. For
4 additional inter-track location licensees authorized under
5 Public Act 89-16, the licensee shall be allowed to retain
6 to satisfy all costs and expenses: 7.75% of the
7 pari-mutuel handle wagered at the location during its
8 first 12 months of operation, 7.25% during its second 12
9 months of operation, and 6.75% thereafter.

10 (C) There is hereby created the Horse Racing Tax
11 Allocation Fund which shall remain in existence until
12 December 31, 1999. Moneys remaining in the Fund after
13 December 31, 1999 shall be paid into the General Revenue
14 Fund. Until January 1, 2000, all monies paid into the
15 Horse Racing Tax Allocation Fund pursuant to this
16 paragraph (11) by inter-track wagering location licensees
17 located in park districts of 500,000 population or less,
18 or in a municipality that is not included within any park
19 district but is included within a conservation district
20 and is the county seat of a county that (i) is contiguous
21 to the state of Indiana and (ii) has a 1990 population of
22 88,257 according to the United States Bureau of the
23 Census, and operating on May 1, 1994 shall be allocated by
24 appropriation as follows:

25 Two-sevenths to the Department of Agriculture.

26 Fifty percent of this two-sevenths shall be used to

1 promote the Illinois horse racing and breeding
2 industry, and shall be distributed by the Department
3 of Agriculture upon the advice of a 9-member committee
4 appointed by the Governor consisting of the following
5 members: the Director of Agriculture, who shall serve
6 as chairman; 2 representatives of organization
7 licensees conducting thoroughbred race meetings in
8 this State, recommended by those licensees; 2
9 representatives of organization licensees conducting
10 standardbred race meetings in this State, recommended
11 by those licensees; a representative of the Illinois
12 Thoroughbred Breeders and Owners Foundation,
13 recommended by that Foundation; a representative of
14 the Illinois Standardbred Owners and Breeders
15 Association, recommended by that Association; a
16 representative of the Horsemen's Benevolent and
17 Protective Association or any successor organization
18 thereto established in Illinois comprised of the
19 largest number of owners and trainers, recommended by
20 that Association or that successor organization; and a
21 representative of the Illinois Harness Horsemen's
22 Association, recommended by that Association.
23 Committee members shall serve for terms of 2 years,
24 commencing January 1 of each even-numbered year. If a
25 representative of any of the above-named entities has
26 not been recommended by January 1 of any even-numbered

1 year, the Governor shall appoint a committee member to
2 fill that position. Committee members shall receive no
3 compensation for their services as members but shall
4 be reimbursed for all actual and necessary expenses
5 and disbursements incurred in the performance of their
6 official duties. The remaining 50% of this
7 two-sevenths shall be distributed to county fairs for
8 premiums and rehabilitation as set forth in the
9 Agricultural Fair Act;

10 Four-sevenths to park districts or municipalities
11 that do not have a park district of 500,000 population
12 or less for museum purposes (if an inter-track
13 wagering location licensee is located in such a park
14 district) or to conservation districts for museum
15 purposes (if an inter-track wagering location licensee
16 is located in a municipality that is not included
17 within any park district but is included within a
18 conservation district and is the county seat of a
19 county that (i) is contiguous to the state of Indiana
20 and (ii) has a 1990 population of 88,257 according to
21 the United States Bureau of the Census, except that if
22 the conservation district does not maintain a museum,
23 the monies shall be allocated equally between the
24 county and the municipality in which the inter-track
25 wagering location licensee is located for general
26 purposes) or to a municipal recreation board for park

1 purposes (if an inter-track wagering location licensee
2 is located in a municipality that is not included
3 within any park district and park maintenance is the
4 function of the municipal recreation board and the
5 municipality has a 1990 population of 9,302 according
6 to the United States Bureau of the Census); provided
7 that the monies are distributed to each park district
8 or conservation district or municipality that does not
9 have a park district in an amount equal to
10 four-sevenths of the amount collected by each
11 inter-track wagering location licensee within the park
12 district or conservation district or municipality for
13 the Fund. Monies that were paid into the Horse Racing
14 Tax Allocation Fund before August 9, 1991 (the
15 effective date of Public Act 87-110) by an inter-track
16 wagering location licensee located in a municipality
17 that is not included within any park district but is
18 included within a conservation district as provided in
19 this paragraph shall, as soon as practicable after
20 August 9, 1991 (the effective date of Public Act
21 87-110), be allocated and paid to that conservation
22 district as provided in this paragraph. Any park
23 district or municipality not maintaining a museum may
24 deposit the monies in the corporate fund of the park
25 district or municipality where the inter-track
26 wagering location is located, to be used for general

1 purposes; and

2 One-seventh to the Agricultural Premium Fund to be
3 used for distribution to agricultural home economics
4 extension councils in accordance with "An Act in
5 relation to additional support and finances for the
6 Agricultural and Home Economic Extension Councils in
7 the several counties of this State and making an
8 appropriation therefor", approved July 24, 1967.

9 Until January 1, 2000, all other monies paid into the
10 Horse Racing Tax Allocation Fund pursuant to this
11 paragraph (11) shall be allocated by appropriation as
12 follows:

13 Two-sevenths to the Department of Agriculture.
14 Fifty percent of this two-sevenths shall be used to
15 promote the Illinois horse racing and breeding
16 industry, and shall be distributed by the Department
17 of Agriculture upon the advice of a 9-member committee
18 appointed by the Governor consisting of the following
19 members: the Director of Agriculture, who shall serve
20 as chairman; 2 representatives of organization
21 licensees conducting thoroughbred race meetings in
22 this State, recommended by those licensees; 2
23 representatives of organization licensees conducting
24 standardbred race meetings in this State, recommended
25 by those licensees; a representative of the Illinois
26 Thoroughbred Breeders and Owners Foundation,

1 recommended by that Foundation; a representative of
2 the Illinois Standardbred Owners and Breeders
3 Association, recommended by that Association; a
4 representative of the Horsemen's Benevolent and
5 Protective Association or any successor organization
6 thereto established in Illinois comprised of the
7 largest number of owners and trainers, recommended by
8 that Association or that successor organization; and a
9 representative of the Illinois Harness Horsemen's
10 Association, recommended by that Association.
11 Committee members shall serve for terms of 2 years,
12 commencing January 1 of each even-numbered year. If a
13 representative of any of the above-named entities has
14 not been recommended by January 1 of any even-numbered
15 year, the Governor shall appoint a committee member to
16 fill that position. Committee members shall receive no
17 compensation for their services as members but shall
18 be reimbursed for all actual and necessary expenses
19 and disbursements incurred in the performance of their
20 official duties. The remaining 50% of this
21 two-sevenths shall be distributed to county fairs for
22 premiums and rehabilitation as set forth in the
23 Agricultural Fair Act;

24 Four-sevenths to museums and aquariums located in
25 park districts of over 500,000 population; provided
26 that the monies are distributed in accordance with the

1 previous year's distribution of the maintenance tax
2 for such museums and aquariums as provided in Section
3 2 of the Park District Aquarium and Museum Act; and

4 One-seventh to the Agricultural Premium Fund to be
5 used for distribution to agricultural home economics
6 extension councils in accordance with "An Act in
7 relation to additional support and finances for the
8 Agricultural and Home Economic Extension Councils in
9 the several counties of this State and making an
10 appropriation therefor", approved July 24, 1967. This
11 subparagraph (C) shall be inoperative and of no force
12 and effect on and after January 1, 2000.

13 (D) Except as provided in paragraph (11) of this
14 subsection (h), with respect to purse allocation from
15 inter-track wagering, the monies so retained shall be
16 divided as follows:

17 (i) If the inter-track wagering licensee,
18 except an inter-track wagering licensee that
19 derives its license from an organization licensee
20 located in a county with a population in excess of
21 230,000 and bounded by the Mississippi River, is
22 not conducting its own race meeting during the
23 same dates, then the entire purse allocation shall
24 be to purses at the track where the races wagered
25 on are being conducted.

26 (ii) If the inter-track wagering licensee,

1 except an inter-track wagering licensee that
2 derives its license from an organization licensee
3 located in a county with a population in excess of
4 230,000 and bounded by the Mississippi River, is
5 also conducting its own race meeting during the
6 same dates, then the purse allocation shall be as
7 follows: 50% to purses at the track where the
8 races wagered on are being conducted; 50% to
9 purses at the track where the inter-track wagering
10 licensee is accepting such wagers.

11 (iii) If the inter-track wagering is being
12 conducted by an inter-track wagering location
13 licensee, except an inter-track wagering location
14 licensee that derives its license from an
15 organization licensee located in a county with a
16 population in excess of 230,000 and bounded by the
17 Mississippi River, the entire purse allocation for
18 Illinois races shall be to purses at the track
19 where the race meeting being wagered on is being
20 held.

21 (12) The Board shall have all powers necessary and
22 proper to fully supervise and control the conduct of
23 inter-track wagering and simulcast wagering by inter-track
24 wagering licensees and inter-track wagering location
25 licensees, including, but not limited to, the following:

26 (A) The Board is vested with power to promulgate

1 reasonable rules and regulations for the purpose of
2 administering the conduct of this wagering and to
3 prescribe reasonable rules, regulations, and
4 conditions under which such wagering shall be held and
5 conducted. Such rules and regulations are to provide
6 for the prevention of practices detrimental to the
7 public interest and for the best interests of said
8 wagering and to impose penalties for violations
9 thereof.

10 (B) The Board, and any person or persons to whom it
11 delegates this power, is vested with the power to
12 enter the facilities of any licensee to determine
13 whether there has been compliance with the provisions
14 of this Act and the rules and regulations relating to
15 the conduct of such wagering.

16 (C) The Board, and any person or persons to whom it
17 delegates this power, may eject or exclude from any
18 licensee's facilities, any person whose conduct or
19 reputation is such that his presence on such premises
20 may, in the opinion of the Board, call into the
21 question the honesty and integrity of, or interfere
22 with the orderly conduct of such wagering; provided,
23 however, that no person shall be excluded or ejected
24 from such premises solely on the grounds of race,
25 color, creed, national origin, ancestry, or sex.

26 (D) (Blank).

1 (E) The Board is vested with the power to appoint
2 delegates to execute any of the powers granted to it
3 under this Section for the purpose of administering
4 this wagering and any rules and regulations
5 promulgated in accordance with this Act.

6 (F) The Board shall name and appoint a State
7 director of this wagering who shall be a
8 representative of the Board and whose duty it shall be
9 to supervise the conduct of inter-track wagering as
10 may be provided for by the rules and regulations of the
11 Board; such rules and regulation shall specify the
12 method of appointment and the Director's powers,
13 authority and duties. The Board may appoint the
14 Director of Mutuels to also serve as the State
15 director of this wagering.

16 (G) The Board is vested with the power to impose
17 civil penalties of up to \$5,000 against individuals
18 and up to \$10,000 against licensees for each violation
19 of any provision of this Act relating to the conduct of
20 this wagering, any rules adopted by the Board, any
21 order of the Board or any other action which in the
22 Board's discretion, is a detriment or impediment to
23 such wagering.

24 (13) The Department of Agriculture may enter into
25 agreements with licensees authorizing such licensees to
26 conduct inter-track wagering on races to be held at the

1 licensed race meetings conducted by the Department of
2 Agriculture. Such agreement shall specify the races of the
3 Department of Agriculture's licensed race meeting upon
4 which the licensees will conduct wagering. In the event
5 that a licensee conducts inter-track pari-mutuel wagering
6 on races from the Illinois State Fair or DuQuoin State
7 Fair which are in addition to the licensee's previously
8 approved racing program, those races shall be considered a
9 separate racing day for the purpose of determining the
10 daily handle and computing the privilege or pari-mutuel
11 tax on that daily handle as provided in Sections 27 and
12 27.1. Such agreements shall be approved by the Board
13 before such wagering may be conducted. In determining
14 whether to grant approval, the Board shall give due
15 consideration to the best interests of the public and of
16 horse racing. The provisions of paragraphs (1), (8),
17 (8.1), and (8.2) of subsection (h) of this Section which
18 are not specified in this paragraph (13) shall not apply
19 to licensed race meetings conducted by the Department of
20 Agriculture at the Illinois State Fair in Sangamon County
21 or the DuQuoin State Fair in Perry County, or to any
22 wagering conducted on those race meetings.

23 (14) An inter-track wagering location license
24 authorized by the Board in 2016 that is owned and operated
25 by a race track in Rock Island County shall be transferred
26 to a commonly owned race track in Cook County on August 12,

1 2016 (the effective date of Public Act 99-757). The
2 licensee shall retain its status in relation to purse
3 distribution under paragraph (11) of this subsection (h)
4 following the transfer to the new entity. The pari-mutuel
5 tax credit under Section 32.1 shall not be applied toward
6 any pari-mutuel tax obligation of the inter-track wagering
7 location licensee of the license that is transferred under
8 this paragraph (14).

9 (i) Notwithstanding the other provisions of this Act, the
10 conduct of wagering at wagering facilities is authorized on
11 all days, except as limited by subsection (b) of Section 19 of
12 this Act.

13 (Source: P.A. 101-31, eff. 6-28-19; 101-52, eff. 7-12-19;
14 101-81, eff. 7-12-19; 101-109, eff. 7-19-19; 102-558, eff.
15 8-20-21; 102-813, eff. 5-13-22.)

16 (230 ILCS 5/27) (from Ch. 8, par. 37-27)

17 Sec. 27. Pari-mutuel tax.

18 (a) In addition to the organization license fee provided
19 by this Act, until January 1, 2000, a graduated privilege tax
20 is hereby imposed for conducting the pari-mutuel system of
21 wagering permitted under this Act. Until January 1, 2000,
22 except as provided in subsection (g) of Section 27 of this Act,
23 all of the breakage of each racing day held by any licensee in
24 the State shall be paid to the State. Until January 1, 2000,
25 such daily graduated privilege tax shall be paid by the

1 licensee from the amount permitted to be retained under this
2 Act. Until January 1, 2000, each day's graduated privilege
3 tax, breakage, and Horse Racing Tax Allocation funds shall be
4 remitted to the Department of Revenue within 48 hours after
5 the close of the racing day upon which it is assessed or within
6 such other time as the Board prescribes. The privilege tax
7 hereby imposed, until January 1, 2000, shall be a flat tax at
8 the rate of 2% of the daily pari-mutuel handle except as
9 provided in Section 27.1.

10 In addition, every organization licensee, except as
11 provided in Section 27.1 of this Act, which conducts multiple
12 wagering shall pay, until January 1, 2000, as a privilege tax
13 on multiple wagers an amount equal to 1.25% of all moneys
14 wagered each day on such multiple wagers, plus an additional
15 amount equal to 3.5% of the amount wagered each day on any
16 other multiple wager which involves a single betting interest
17 on 3 or more horses. The licensee shall remit the amount of
18 such taxes to the Department of Revenue within 48 hours after
19 the close of the racing day on which it is assessed or within
20 such other time as the Board prescribes.

21 This subsection (a) shall be inoperative and of no force
22 and effect on and after January 1, 2000.

23 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax
24 at the rate of 1.5% of the daily pari-mutuel handle is imposed
25 at all pari-mutuel wagering facilities and on advance deposit
26 wagering from a location other than a wagering facility,

1 except as otherwise provided for in this subsection (a-5). In
2 addition to the pari-mutuel tax imposed on advance deposit
3 wagering pursuant to this subsection (a-5), beginning on
4 August 24, 2012 (the effective date of Public Act 97-1060), an
5 additional pari-mutuel tax at the rate of 0.25% shall be
6 imposed on advance deposit wagering. Until August 25, 2012,
7 the additional 0.25% pari-mutuel tax imposed on advance
8 deposit wagering by Public Act 96-972 shall be deposited into
9 the Quarter Horse Purse Fund, which shall be created as a
10 non-appropriated trust fund administered by the Board for
11 distribution grants to thoroughbred organization licensees for
12 payment of purses for quarter horse races conducted by the
13 organization licensee. Beginning on August 26, 2012, the
14 additional 0.25% pari-mutuel tax imposed on advance deposit
15 wagering shall be deposited into the Standardbred Purse Fund,
16 which shall be created as a non-appropriated trust fund
17 administered by the Board, for grants to the standardbred
18 organization licensees for payment of purses for standardbred
19 horse races conducted by the organization licensee.
20 Thoroughbred organization licensees may petition the Board to
21 conduct quarter horse racing and receive purse grants from the
22 Quarter Horse Purse Fund. The Board shall have complete
23 discretion in distributing the Quarter Horse Purse Fund to the
24 petitioning organization licensees. Beginning on July 26, 2010
25 (the effective date of Public Act 96-1287), a pari-mutuel tax
26 at the rate of 0.75% of the daily pari-mutuel handle is imposed

1 at a pari-mutuel facility whose license is derived from a
2 track located in a county that borders the Mississippi River
3 and conducted live racing in the previous year. The
4 pari-mutuel tax imposed by this subsection (a-5) shall be
5 remitted to the Board ~~Department of Revenue~~ within 48 hours
6 after the close of the racing day upon which it is assessed or
7 within such other time as the Board prescribes.

8 (a-10) Beginning on the date when an organization licensee
9 begins conducting gaming pursuant to an organization gaming
10 license, the following pari-mutuel tax is imposed upon an
11 organization licensee on Illinois races at the licensee's
12 racetrack:

13 1.5% of the pari-mutuel handle at or below the average
14 daily pari-mutuel handle for 2011.

15 2% of the pari-mutuel handle above the average daily
16 pari-mutuel handle for 2011 up to 125% of the average
17 daily pari-mutuel handle for 2011.

18 2.5% of the pari-mutuel handle 125% or more above the
19 average daily pari-mutuel handle for 2011 up to 150% of
20 the average daily pari-mutuel handle for 2011.

21 3% of the pari-mutuel handle 150% or more above the
22 average daily pari-mutuel handle for 2011 up to 175% of
23 the average daily pari-mutuel handle for 2011.

24 3.5% of the pari-mutuel handle 175% or more above the
25 average daily pari-mutuel handle for 2011.

26 The pari-mutuel tax imposed by this subsection (a-10)

1 shall be remitted to the Board within 48 hours after the close
2 of the racing day upon which it is assessed or within such
3 other time as the Board prescribes.

4 (b) On or before December 31, 1999, in the event that any
5 organization licensee conducts 2 separate programs of races on
6 any day, each such program shall be considered a separate
7 racing day for purposes of determining the daily handle and
8 computing the privilege tax on such daily handle as provided
9 in subsection (a) of this Section.

10 (c) Licensees shall at all times keep accurate books and
11 records of all monies wagered on each day of a race meeting and
12 of the taxes paid to the Board ~~Department of Revenue~~ under the
13 provisions of this Section. The Board or its duly authorized
14 representative or representatives shall at all reasonable
15 times have access to such records for the purpose of examining
16 and checking the same and ascertaining whether the proper
17 amount of taxes is being paid as provided. The Board shall
18 require verified reports and a statement of the total of all
19 monies wagered daily at each wagering facility upon which the
20 taxes are assessed and may prescribe forms upon which such
21 reports and statement shall be made.

22 (d) Before a license is issued or re-issued, the licensee
23 shall post a bond in the sum of \$500,000 to the State of
24 Illinois. The bond shall be used to guarantee that the
25 licensee faithfully makes the payments, keeps the books and
26 records, makes reports, and conducts games of chance in

1 conformity with this Act and the rules adopted by the Board.
2 The bond shall not be canceled by a surety on less than 30
3 days' notice in writing to the Board. If a bond is canceled and
4 the licensee fails to file a new bond with the Board in the
5 required amount on or before the effective date of
6 cancellation, the licensee's license shall be revoked. The
7 total and aggregate liability of the surety on the bond is
8 limited to the amount specified in the bond.

9 (e) No other license fee, privilege tax, excise tax, or
10 racing fee, except as provided in this Act, shall be assessed
11 or collected from any such licensee by the State.

12 (f) No other license fee, privilege tax, excise tax, or
13 racing fee shall be assessed or collected from any such
14 licensee by units of local government except as provided in
15 paragraph 10.1 of subsection (h) and subsection (f) of Section
16 26 of this Act. However, any municipality that has a Board
17 licensed horse race meeting at a race track wholly within its
18 corporate boundaries or a township that has a Board licensed
19 horse race meeting at a race track wholly within the
20 unincorporated area of the township may charge a local
21 amusement tax not to exceed 10¢ per admission to such horse
22 race meeting by the enactment of an ordinance. However, any
23 municipality or county that has a Board licensed inter-track
24 wagering location facility wholly within its corporate
25 boundaries may each impose an admission fee not to exceed
26 \$1.00 per admission to such inter-track wagering location

1 facility, so that a total of not more than \$2.00 per admission
2 may be imposed. Except as provided in subparagraph (g) of
3 Section 27 of this Act, the inter-track wagering location
4 licensee shall collect any and all such fees. Inter-track
5 wagering location licensees must pay the admission fees
6 required under this subsection (f) to the municipality and
7 county no later than the 20th of the month following the month
8 such admission fees were imposed.

9 (g) Notwithstanding any provision in this Act to the
10 contrary, if in any calendar year the total taxes and fees from
11 wagering on live racing and from inter-track wagering required
12 to be collected from licensees and distributed under this Act
13 to all State and local governmental authorities exceeds the
14 amount of such taxes and fees distributed to each State and
15 local governmental authority to which each State and local
16 governmental authority was entitled under this Act for
17 calendar year 1994, then the first \$11 million of that excess
18 amount shall be allocated at the earliest possible date for
19 distribution as purse money for the succeeding calendar year.
20 Upon reaching the 1994 level, and until the excess amount of
21 taxes and fees exceeds \$11 million, the Board shall direct all
22 licensees to cease paying the subject taxes and fees and the
23 Board shall direct all licensees to allocate any such excess
24 amount for purses as follows:

25 (i) the excess amount shall be initially divided
26 between thoroughbred and standardbred purses based on the

1 thoroughbred's and standardbred's respective percentages
2 of total Illinois live wagering in calendar year 1994;

3 (ii) each thoroughbred and standardbred organization
4 licensee issued an organization licensee in that
5 succeeding allocation year shall be allocated an amount
6 equal to the product of its percentage of total Illinois
7 live thoroughbred or standardbred wagering in calendar
8 year 1994 (the total to be determined based on the sum of
9 1994 on-track wagering for all organization licensees
10 issued organization licenses in both the allocation year
11 and the preceding year) multiplied by the total amount
12 allocated for standardbred or thoroughbred purses,
13 provided that the first \$1,500,000 of the amount allocated
14 to standardbred purses under item (i) shall be allocated
15 to the Department of Agriculture to be expended with the
16 assistance and advice of the Illinois Standardbred
17 Breeders Funds Advisory Board for the purposes listed in
18 subsection (g) of Section 31 of this Act, before the
19 amount allocated to standardbred purses under item (i) is
20 allocated to standardbred organization licensees in the
21 succeeding allocation year.

22 To the extent the excess amount of taxes and fees to be
23 collected and distributed to State and local governmental
24 authorities exceeds \$11 million, that excess amount shall be
25 collected and distributed to State and local authorities as
26 provided for under this Act.

1 (Source: P.A. 101-31, eff. 6-28-19; 101-52, eff. 7-12-19;
2 102-558, eff. 8-20-21.)

3 (230 ILCS 5/28.1)

4 Sec. 28.1. Payments.

5 (a) Beginning on January 1, 2000, moneys collected by the
6 ~~Department of Revenue and the Racing~~ Board pursuant to Section
7 26 or Section 27 of this Act shall be deposited into the Horse
8 Racing Fund, which is hereby created as a special fund in the
9 State Treasury.

10 (b) Appropriations, as approved by the General Assembly,
11 may be made from the Horse Racing Fund to the Board to pay the
12 salaries of the Board members, secretary, stewards, directors
13 of mutuels, veterinarians, representatives, accountants,
14 clerks, stenographers, inspectors, and other employees of the
15 Board, and all expenses of the Board incident to the
16 administration of this Act, including, but not limited to, all
17 expenses and salaries incident to the taking of saliva and
18 urine samples in accordance with the rules and regulations of
19 the Board.

20 (c) (Blank).

21 (d) Beginning January 1, 2000, payments to all programs in
22 existence on the effective date of this amendatory Act of 1999
23 that are identified in Sections 26(c), 26(f), 26(h)(11)(C),
24 and 28, subsections (a), (b), (c), (d), (e), (f), (g), and (h)
25 of Section 30, and subsections (a), (b), (c), (d), (e), (f),

1 (g), and (h) of Section 31 shall be made from the General
2 Revenue Fund at the funding levels determined by amounts paid
3 under this Act in calendar year 1998. Beginning on the
4 effective date of this amendatory Act of the 93rd General
5 Assembly, payments to the Peoria Park District shall be made
6 from the General Revenue Fund at the funding level determined
7 by amounts paid to that park district for museum purposes
8 under this Act in calendar year 1994.

9 If an inter-track wagering location licensee's facility
10 changes its location, then the payments associated with that
11 facility under this subsection (d) for museum purposes shall
12 be paid to the park district in the area where the facility
13 relocates, and the payments shall be used for museum purposes.
14 If the facility does not relocate to a park district, then the
15 payments shall be paid to the taxing district that is
16 responsible for park or museum expenditures.

17 (e) Beginning July 1, 2006, the payment authorized under
18 subsection (d) to museums and aquariums located in park
19 districts of over 500,000 population shall be paid to museums,
20 aquariums, and zoos in amounts determined by Museums in the
21 Park, an association of museums, aquariums, and zoos located
22 on Chicago Park District property.

23 (f) Beginning July 1, 2007, the Children's Discovery
24 Museum in Normal, Illinois shall receive payments from the
25 General Revenue Fund at the funding level determined by the
26 amounts paid to the Miller Park Zoo in Bloomington, Illinois

1 under this Section in calendar year 2006.

2 (g) On July 3, 2023, the Comptroller shall order
3 transferred and the Treasurer shall transfer \$5,100,000 from
4 the Horse Racing Fund to the Horse Racing Purse Equity Fund.

5 (Source: P.A. 102-16, eff. 6-17-21; 103-8, eff. 7-1-23.)

6 (230 ILCS 5/31.1) (from Ch. 8, par. 37-31.1)

7 Sec. 31.1. Required annual contribution to charity.

8 (a) Unless subsection (a-5) applies, organization licensees
9 collectively shall contribute annually to charity the sum of
10 \$750,000 to nonprofit ~~non-profit~~ organizations that provide
11 medical and family, counseling, and similar services to
12 persons who reside or work on the backstretch of Illinois
13 racetracks. Unless subsection (a-5) applies, these
14 contributions shall be collected as follows: (i) no later than
15 July 1st of each year the Board shall assess each organization
16 licensee, except those tracks located in Madison County, which
17 tracks shall pay \$30,000 annually apiece into the Board
18 charity fund, that amount which equals \$690,000 multiplied by
19 the amount of pari-mutuel wagering handled by the organization
20 licensee in the year preceding assessment and divided by the
21 total pari-mutuel wagering handled by all Illinois
22 organization licensees, except those tracks located in Madison
23 and Rock Island counties, in the year preceding assessment;
24 (ii) notice of the assessed contribution shall be mailed to
25 each organization licensee; (iii) within 30 ~~thirty~~ days of its

1 receipt of such notice, each organization licensee shall remit
2 the assessed contribution to the Board. Unless subsection
3 (a-5) applies, if an organization licensee commences operation
4 of gaming at its facility pursuant to an organization gaming
5 license under the Illinois Gambling Act, then the organization
6 licensee shall contribute an additional \$83,000 per year
7 beginning in the year subsequent to the first year in which the
8 organization licensee begins receiving funds from gaming
9 pursuant to an organization gaming license. If an organization
10 licensee wilfully fails to so remit the contribution, the
11 Board may revoke its license to conduct horse racing.

12 (a-5) If (1) an organization licensee that did not operate
13 live racing in 2017 is awarded racing dates in 2018 or in any
14 subsequent year and (2) all organization licensees are
15 operating gaming pursuant to an organization gaming license
16 under the Illinois Gambling Act, then subsection (a) does not
17 apply and organization licensees collectively shall contribute
18 annually to charity the sum of \$1,000,000 to nonprofit
19 ~~non-profit~~ organizations that provide medical and family,
20 counseling, and similar services to persons who reside or work
21 on the backstretch of Illinois racetracks. These contributions
22 shall be collected as follows: (i) no later than July 1st of
23 each year the Board shall assess each organization licensee an
24 amount based on the proportionate amount of live racing days
25 in the calendar year for which the Board has awarded to the
26 organization licensee out of the total aggregate number of

1 live racing days awarded; (ii) notice of the assessed
2 contribution shall be mailed to each organization licensee;
3 (iii) within 30 days after its receipt of such notice, each
4 organization licensee shall remit the assessed contribution to
5 the Board. If an organization licensee willfully fails to so
6 remit the contribution, the Board may revoke its license to
7 conduct horse racing.

8 (b) No later than October 1st of each year, any qualified
9 charitable organization seeking an allotment of contributed
10 funds shall submit to the Board an application for those
11 funds, using the Board's approved form. The No later than
12 December 31st of each year, the Board shall distribute all
13 such amounts collected that year to such charitable
14 organization applicants on a schedule determined by the Board,
15 based on the charitable organization's estimated expenditures
16 related to this grant. Any funds not expended by the grantee in
17 a grant year shall be distributed to the charitable
18 organization or charitable organizations selected in the next
19 grant year after the funds are recovered in addition to the
20 amounts specified in subsections (a) and (a-5).

21 (Source: P.A. 101-31, eff. 6-28-19.)

22 (230 ILCS 5/15.1 rep.)

23 (230 ILCS 5/34.3 rep.)

24 Section 40. The Illinois Horse Racing Act of 1975 is
25 amended by repealing Sections 15.1 and 34.3.

1 Section 45. The Video Gaming Act is amended by adding
2 Section 18 as follows:

3 (230 ILCS 40/18 new)

4 Sec. 18. Restrictions on advertising. A licensee under
5 this Act may not advertise its video gaming operation using
6 physical advertisements outside the video gaming location or
7 on off-premises billboard signs unless the advertisement is
8 directly and permanently affixed to a building on the video
9 gaming location or on a permanent pole sign that is
10 permanently affixed to a foundation. This Section does not
11 apply in the first 90 days after a video gaming location is
12 issued a license.

13 Section 50. The Criminal Code of 2012 is amended by
14 changing Sections 28-1 and 28-1.1 as follows:

15 (720 ILCS 5/28-1) (from Ch. 38, par. 28-1)

16 Sec. 28-1. Gambling.

17 (a) A person commits gambling when he or she:

18 (1) knowingly plays a game of chance or skill for
19 money or other thing of value, unless excepted in
20 subsection (b) of this Section;

21 (2) knowingly makes a wager upon the result of any
22 game, contest, or any political nomination, appointment,

1 or election;

2 (3) knowingly operates, keeps, owns, uses, purchases,
3 exhibits, rents, sells, bargains for the sale or lease of,
4 manufactures, l or distributes any gambling device;

5 (4) contracts to have or give himself or herself or
6 another the option to buy or sell, or contracts to buy or
7 sell, at a future time, any grain or other commodity
8 whatsoever, or any stock or security of any company, where
9 it is at the time of making such contract intended by both
10 parties thereto that the contract to buy or sell, or the
11 option, whenever exercised, or the contract resulting
12 therefrom, shall be settled, not by the receipt or
13 delivery of such property, but by the payment only of
14 differences in prices thereof; however, the issuance,
15 purchase, sale, exercise, endorsement, l or guarantee, by or
16 through a person registered with the Secretary of State
17 pursuant to Section 8 of the Illinois Securities Law of
18 1953, or by or through a person exempt from such
19 registration under said Section 8, of a put, call, or
20 other option to buy or sell securities which have been
21 registered with the Secretary of State or which are exempt
22 from such registration under Section 3 of the Illinois
23 Securities Law of 1953 is not gambling within the meaning
24 of this paragraph (4);

25 (5) knowingly owns or possesses any book, instrument, l
26 or apparatus by means of which bets or wagers have been, or

1 are, recorded or registered, or knowingly possesses any
2 money which he has received in the course of a bet or
3 wager;

4 (6) knowingly sells pools upon the result of any game
5 or contest of skill or chance, political nomination,
6 appointment, or election;

7 (7) knowingly sets up or promotes any lottery or
8 sells, offers to sell, or transfers any ticket or share
9 for any lottery;

10 (8) knowingly sets up or promotes any policy game or
11 sells, offers to sell, or knowingly possesses or transfers
12 any policy ticket, slip, record, document, or other
13 similar device;

14 (9) knowingly drafts, prints, or publishes any lottery
15 ticket or share, or any policy ticket, slip, record,
16 document, or similar device, except for such activity
17 related to lotteries, bingo games, and raffles authorized
18 by and conducted in accordance with the laws of Illinois
19 or any other state or foreign government;

20 (10) knowingly advertises any lottery or policy game,
21 except for such activity related to lotteries, bingo
22 games, and raffles authorized by and conducted in
23 accordance with the laws of Illinois or any other state;

24 (11) knowingly transmits information as to wagers,
25 betting odds, or changes in betting odds by telephone,
26 telegraph, radio, semaphore, or similar means; or

1 knowingly installs or maintains equipment for the
2 transmission or receipt of such information; except that
3 nothing in this subdivision (11) prohibits transmission or
4 receipt of such information for use in news reporting of
5 sporting events or contests; ~~or~~

6 (12) knowingly establishes, maintains, or operates an
7 Internet site that permits a person to play a game of
8 chance or skill for money or other thing of value by means
9 of the Internet or to make a wager upon the result of any
10 game, contest, political nomination, appointment, or
11 election by means of the Internet. This item (12) does not
12 apply to activities referenced in items (6), (6.1), (8),
13 (8.1), and (15) of subsection (b) of this Section; or ~~or~~

14 (13) knowingly facilitates wagering on amusement
15 devices or knowingly engages in advertising that promotes
16 wagering on amusement devices in violation of the Family
17 Amusement Wagering Prohibition Act.

18 (b) Participants in any of the following activities shall
19 not be convicted of gambling:

20 (1) Agreements to compensate for loss caused by the
21 happening of chance including without limitation contracts
22 of indemnity or guaranty and life or health or accident
23 insurance.

24 (2) Unless prohibited by the Family Amusement Wagering
25 Prohibition Act, offers ~~offers~~ of prizes, award, or
26 compensation to the actual contestants in any bona fide

1 contest for the determination of skill, speed, strength,
2 or endurance or to the owners of animals or vehicles
3 entered in such contest.

4 (3) Pari-mutuel betting as authorized by the law of
5 this State.

6 (4) Manufacture of gambling devices, including the
7 acquisition of essential parts therefor and the assembly
8 thereof, for transportation in interstate or foreign
9 commerce to any place outside this State when such
10 transportation is not prohibited by any applicable Federal
11 law; or the manufacture, distribution, or possession of
12 video gaming terminals, as defined in the Video Gaming
13 Act, by manufacturers, distributors, and terminal
14 operators licensed to do so under the Video Gaming Act.

15 (5) The game commonly known as "bingo", when conducted
16 in accordance with the Bingo License and Tax Act.

17 (6) Lotteries when conducted by the State of Illinois
18 in accordance with the Illinois Lottery Law. This
19 exemption includes any activity conducted by the
20 Department of Revenue to sell lottery tickets pursuant to
21 the provisions of the Illinois Lottery Law and its rules.

22 (6.1) The purchase of lottery tickets through the
23 Internet for a lottery conducted by the State of Illinois
24 under the program established in Section 7.12 of the
25 Illinois Lottery Law.

26 (7) Possession of an antique slot machine that is

1 neither used nor intended to be used in the operation or
2 promotion of any unlawful gambling activity or enterprise.
3 For the purpose of this subparagraph (b)(7), an antique
4 slot machine is one manufactured 25 years ago or earlier.

5 (8) Raffles and poker runs when conducted in
6 accordance with the Raffles and Poker Runs Act.

7 (8.1) The purchase of raffle chances for a raffle
8 conducted in accordance with the Raffles and Poker Runs
9 Act.

10 (9) Charitable games when conducted in accordance with
11 the Charitable Games Act.

12 (10) Pull tabs and jar games when conducted under the
13 Illinois Pull Tabs and Jar Games Act.

14 (11) Gambling games when authorized by the Illinois
15 Gambling Act.

16 (12) Video gaming terminal games at a licensed
17 establishment, licensed truck stop establishment, licensed
18 large truck stop establishment, licensed fraternal
19 establishment, or licensed veterans establishment when
20 conducted in accordance with the Video Gaming Act.

21 (13) Games of skill or chance where money or other
22 things of value can be won but no payment or purchase is
23 required to participate.

24 (14) Savings promotion raffles authorized under
25 Section 5g of the Illinois Banking Act, Section 7008 of
26 the Savings Bank Act, Section 42.7 of the Illinois Credit

1 Union Act, Section 5136B of the National Bank Act (12
2 U.S.C. 25a), or Section 4 of the Home Owners' Loan Act (12
3 U.S.C. 1463).

4 (15) Sports wagering when conducted in accordance with
5 the Sports Wagering Act.

6 (c) Sentence.

7 Gambling is a Class A misdemeanor. A second or subsequent
8 conviction under subsections (a)(3) through (a)(12), is a
9 Class 4 felony.

10 (d) Circumstantial evidence.

11 In prosecutions under this Section circumstantial evidence
12 shall have the same validity and weight as in any criminal
13 prosecution.

14 (Source: P.A. 101-31, Article 25, Section 25-915, eff.
15 6-28-19; 101-31, Article 35, Section 35-80, eff. 6-28-19;
16 101-109, eff. 7-19-19; 102-558, eff. 8-20-21.)

17 (720 ILCS 5/28-1.1) (from Ch. 38, par. 28-1.1)

18 Sec. 28-1.1. Syndicated gambling.

19 (a) Declaration of Purpose. Recognizing the close
20 relationship between professional gambling and other organized
21 crime, it is declared to be the policy of the legislature to
22 restrain persons from engaging in the business of gambling for
23 profit in this State. This Section shall be liberally
24 construed and administered with a view to carrying out this
25 policy.

1 (b) A person commits syndicated gambling when he or she
2 operates a "policy game" or engages in the business of
3 bookmaking.

4 (c) A person "operates a policy game" when he or she
5 knowingly uses any premises or property for the purpose of
6 receiving or knowingly does receive from what is commonly
7 called "policy":

8 (1) money from a person other than the bettor or
9 player whose bets or plays are represented by the money;
10 or

11 (2) written "policy game" records, made or used over
12 any period of time, from a person other than the bettor or
13 player whose bets or plays are represented by the written
14 record.

15 (d) A person engages in bookmaking when he or she
16 knowingly receives or accepts more than 5 ~~five~~ bets or wagers
17 upon the result of any trials or contests of skill, speed, or
18 power of endurance or upon any lot, chance, casualty, unknown,
19 or contingent event whatsoever, which bets or wagers shall be
20 of such size that the total of the amounts of money paid or
21 promised to be paid to the bookmaker on account thereof shall
22 exceed \$2,000. Bookmaking is the receiving or accepting of
23 bets or wagers regardless of the form or manner in which the
24 bookmaker records them.

25 (e) Participants in any of the following activities shall
26 not be convicted of syndicated gambling:

1 (1) Agreements to compensate for loss caused by the
2 happening of chance, including, without limitation,
3 contracts of indemnity or guaranty and life or health or
4 accident insurance;

5 (2) Offers of prizes, award, or compensation to the
6 actual contestants in any bona fide contest for the
7 determination of skill, speed, strength, or endurance or
8 to the owners of animals or vehicles entered in the
9 contest, except as prohibited under the Family Amusement
10 Wagering Prohibition Act;

11 (3) Pari-mutuel betting as authorized by law of this
12 State;

13 (4) Manufacture of gambling devices, including the
14 acquisition of essential parts therefor and the assembly
15 thereof, for transportation in interstate or foreign
16 commerce to any place outside this State when the
17 transportation is not prohibited by any applicable Federal
18 law;

19 (5) Raffles and poker runs when conducted in
20 accordance with the Raffles and Poker Runs Act;

21 (6) Gambling games conducted on riverboats, in
22 casinos, or at organization gaming facilities when
23 authorized by the Illinois Gambling Act;

24 (7) Video gaming terminal games at a licensed
25 establishment, licensed truck stop establishment, licensed
26 large truck stop establishment, licensed fraternal

1 establishment, or licensed veterans establishment when
2 conducted in accordance with the Video Gaming Act; and

3 (8) Savings promotion raffles authorized under Section
4 5g of the Illinois Banking Act, Section 7008 of the
5 Savings Bank Act, Section 42.7 of the Illinois Credit
6 Union Act, Section 5136B of the National Bank Act (12
7 U.S.C. 25a), or Section 4 of the Home Owners' Loan Act (12
8 U.S.C. 1463).

9 (f) Sentence. Syndicated gambling is a Class 3 felony.

10 (Source: P.A. 101-31, eff. 6-28-19.)

11 Section 99. Effective date. This Section and Section 35
12 take effect upon becoming law."